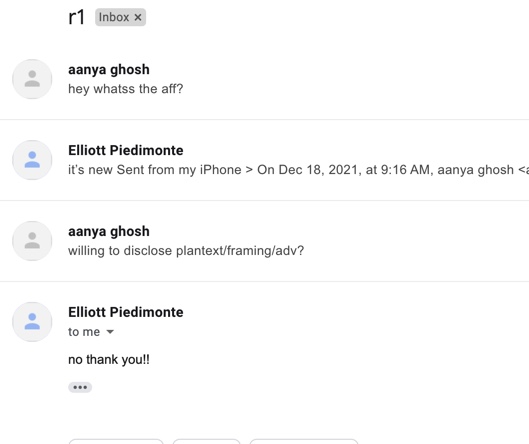
## 1

#### Interpretation—the aff must disclose the plan text before the round. To clarify, disclosure can occur on the wiki or over message.

#### Violation—they didn't—screenshots in the doc.



#### First is prep and clash—two internal links—a) neg prep—4 minutes of prep is not enough to put together a coherent 1nc or update generics—30 minutes is necessary to learn a little about the affirmative and piece together what 1nc positions apply and cut and research their applications to the affirmative b) aff quality—plan text disclosure discourages cheap shot affs. If the aff isn't inherent or easily defeated by 20 minutes of research, it should lose—this will answer the 1ar's claim about innovation—with 30 minutes of prep, there's still an incentive to find a new strategic, well justified aff, but no incentive to cut a horrible, incoherent aff that the neg can't check against the broader literature.

#### Fairness is a voter because debate is a competitive activity that requires objective valuation. Education is a voter because it is the only long term benefit we get out of debate and it is the reason why schools fund debate in the first place. Drop the debater to solve for in round abuse, deter future abusive practices—dropping the argument makes no sense cuz it’s the aff that’s indicted, and because substance is skewed as I have been forced to spend time on theory. Use competing interps because it is the only method that allows us to quantify and weigh the abuse and because reasonability requires intervention by asking the judge to determine the threshold for abuse. RVI’s cause a chilling effect that discourages legit theory, you had a burden to be fair and educational in the first place

## 2

#### 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.

#### 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](https://www.scmp.com/news/china/diplomacy/article/3122501/china-raises-rare-earth-quotas-goodwill-trade-signal-us) to the Joe Biden administration. But other sources say that China may ultimately ban the export of the rare earths altogether on “[security concerns](https://www.bloomberg.com/news/articles/2021-02-19/china-may-ban-rare-earth-technology-exports-on-security-concerns?sref=QYxyklwO).” What’s really going on here?

There are 17 elements considered [rare earths](https://www.bloomberg.com/news/articles/2021-02-16/why-rare-earths-are-achilles-heal-for-europe-u-s-quicktake) — 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](https://thediplomat.com/2020/02/afghanistans-mineral-resources-are-a-lost-opportunity-and-a-threat/) have assessed that they sit atop $1 trillion to $3 trillion in a wide variety of minerals, including rare earths. Some [estimates](https://www.fraserinstitute.org/article/afghanistans-rare-earth-element-bonanza) 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](https://www.wsj.com/articles/china-trade-fight-raises-specter-of-rare-earth-shortage-11559304000) 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](https://www.state.gov/wp-content/uploads/2019/06/Energy-Resource-Governance-Initiative-ERGI-Fact-Sheet.pdf) 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](https://www.bloomberg.com/opinion/articles/2019-10-30/china-is-determined-to-reshape-the-globe) 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](https://www.bloomberg.com/opinion/articles/2021-02-22/china-weaponizing-rare-earths-technology-will-probably-backfire) 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](https://www.commerce.gov/news/press-releases/2019/06/department-commerce-releases-report-critical-minerals) 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

#### Primacy and allied commitments solve arms races and great power war – unipolarity is sustainable, and prevents power vacuums and global escalation

Brands 18 [Hal, Henry Kissinger Distinguished Professor at Johns Hopkins University's School of Advanced International Studies and a senior fellow at the Center for Strategic and Budgetary Assessments." American Grand Strategy in the Age of Trump." Page 129-133]

Since World War II, the United States has had a military second to none. Since the Cold War, America has committed to having overwhelming military primacy. The idea, as George W. Bush declared in 2002, that America must possess “strengths beyond challenge” has featured in every major U.S. strategy document for a quarter century; it has also been reflected in concrete terms.6

From the early 1990s, for example, the United States consistently accounted for around 35 to 45 percent of world defense spending and maintained peerless global power-projection capabilities.7 Perhaps more important, U.S. primacy was also unrivaled in key overseas strategic regions—Europe, East Asia, the Middle East. From thrashing Saddam Hussein’s million-man Iraqi military during Operation Desert Storm, to deploying—with impunity—two carrier strike groups off Taiwan during the China-Taiwan crisis of 1995– 96, Washington has been able to project military power superior to anything a regional rival could employ even on its own geopolitical doorstep.

This military dominance has constituted the hard-power backbone of an ambitious global strategy. After the Cold War, U.S. policymakers committed to averting a return to the unstable multipolarity of earlier eras, and to perpetuating the more favorable unipolar order. They committed to building on the successes of the postwar era by further advancing liberal political values and an open international economy, and to suppressing international scourges such as rogue states, nuclear proliferation, and catastrophic terrorism. And because they recognized that military force remained the ultima ratio regum, they understood the centrality of military preponderance.

Washington would need the military power necessary to underwrite worldwide alliance commitments. It would have to preserve substantial overmatch versus any potential great-power rival. It must be able to answer the sharpest challenges to the international system, such as Saddam’s invasion of Kuwait in 1990 or jihadist extremism after 9/11. Finally, because prevailing global norms generally reflect hard-power realities, America would need the superiority to assure that its own values remained ascendant. It was impolitic to say that U.S. strategy and the international order required “strengths beyond challenge,” but it was not at all inaccurate.

American primacy, moreover, was eminently affordable. At the height of the Cold War, the United States spent over 12 percent of GDP on defense. Since the mid-1990s, the number has usually been between 3 and 4 percent.8 In a historically favorable international environment, Washington could enjoy primacy—and its geopolitical fruits—on the cheap.

Yet U.S. strategy also heeded, at least until recently, the fact that there was a limit to how cheaply that primacy could be had. The American military did shrink significantly during the 1990s, but U.S. officials understood that if Washington cut back too far, its primacy would erode to a point where it ceased to deliver its geopolitical benefits. Alliances would lose credibility; the stability of key regions would be eroded; rivals would be emboldened; international crises would go unaddressed. American primacy was thus like a reasonably priced insurance policy. It required nontrivial expenditures, but protected against far costlier outcomes.9 Washington paid its insurance premiums for two decades after the Cold War. But more recently American primacy and strategic solvency have been imperiled.

THE DARKENING HORIZON For most of the post–Cold War era, the international system was— by historical standards—remarkably benign. Dangers existed, and as the terrorist attacks of September 11, 2001, demonstrated, they could manifest with horrific effect. But for two decades after the Soviet collapse, the world was characterized by remarkably low levels of great-power competition, high levels of security in key theaters such as Europe and East Asia, and the comparative weakness of those “rogue” actors—Iran, Iraq, North Korea, al-Qaeda—who most aggressively challenged American power. During the 1990s, some observers even spoke of a “strategic pause,” the idea being that the end of the Cold War had afforded the United States a respite from normal levels of geopolitical danger and competition. Now, however, the strategic horizon is darkening, due to four factors.

First, great-power military competition is back. The world’s two leading authoritarian powers—China and Russia—are seeking regional hegemony, contesting global norms such as nonaggression and freedom of navigation, and developing the military punch to underwrite these ambitions. Notwithstanding severe economic and demographic problems, Russia has conducted a major military modernization emphasizing nuclear weapons, high-end conventional capabilities, and rapid-deployment and special operations forces— and utilized many of these capabilities in conflicts in Ukraine and Syria.10 China, meanwhile, has carried out a buildup of historic proportions, with constant-dollar defense outlays rising from US$26 billion in 1995 to US$226 billion in 2016.11 Ominously, these expenditures have funded development of power-projection and antiaccess/area denial (A2/AD) tools necessary to threaten China’s neighbors and complicate U.S. intervention on their behalf. Washington has grown accustomed to having a generational military lead; Russian and Chinese modernization efforts are now creating a far more competitive environment.

**Space dominance solves nuclear war. Hegemony de-escalates all conflict scenarios.**

**Yoo 18** [(Emanuel S. Heller Professor of Law at the University of California, Berkeley, and a visiting scholar at AEI since 2003. He served as a deputy assistant attorney general in the Office of the Legal Counsel of the U.S. Department of Justice from 2001 to 2003, where he worked on constitutional and national security matters, as General Counsel of the U.S. Senate Committee on the Judiciary from 1995-96, and as a law clerk to Justice Clarence Thomas of the U.S. Supreme Court (John, Winning the Space Race, October 15th, <http://www.aei.org/publication/winning-the-space-race/>)] \*edited for offensive language

President Donald Trump’s National Security Strategy set a new course by focusing on rebuilding the domestic economy as central to national security and aiming at “rival powers, Russia and China, that seek to challenge American influence, values, and wealth.” Critics observed that the White House seemed to reverse past presidents’ emphasis on advancing democracy and liberal values and elevating American sovereignty over international cooperation.1

Less noticed but perhaps equally revisionist, the Trump administration reversed its predecessor’s course on outer space. Even as American military and civilian networks increased their dependence on satellites, the Obama White House had deferred to European efforts to develop a space “Code of Conduct.” The Trump administration instead relies on unilateralism: “any harmful interference with or an attack upon critical components of our space architecture that directly affects this vital US interest will be met with a deliberate response at a time, place, manner, and domain of our choosing.” On June 18, 2018, President Trump announced a new branch of the military: the United States Space Force.

Control of space already underlies the United States’ predominance in nuclear and conventional warfare. Intercontinental and submarine launched ballistic missiles, the heart of the US nuclear deterrent, pass through space to reach their targets. Reconnaissance satellites monitor rival nations for missile launches, strategic deployments, and major troop movements. Communications satellites provide the high-speed data transfer that stitches the US Armed Forces together, from generals issuing commands to pilots controlling drones. With economic rivals such as China and India, and rogue states like Iran and North Korea developing space programs that pursue similar missions, the importance of space technology to US interests and international peace will only increase.

Space not only enhances military operations, but also exposes new vulnerabilities. Anti-satellite missiles can make an opponent’s space-based communication networks easier to disable than purely ground-based systems. Losing reconnaissance satellites could blind gut the US’s strategic monitoring and disabling the GPS system would degrade its operational and tactical abilities. Space invites asymmetric warfare because anti-satellite attacks could even the technological odds against western powers that have become dependent on information-enhanced operations. As the nation most dependent on space-based networks, **the United States may have the most to lose.**

Strategists divide competition in this emerging arena into four categories. First is space support, which refers to the launching and management of satellites in orbit. The second is force enhancement, which seeks to improve the effectiveness of terrestrial military operations. The importance of these basic missions is well-established. Indeed, the very first satellites performed a critical surveillance role in the strategic competition between the United States and the Soviet Union. Spy satellites replaced dangerous aerial reconnaissance flights in providing intelligence on rival nuclear missile arsenals. Later space-based systems provided the superpowers with early warnings of ballistic missile launches. These programs bolstered stability and aided progress in nuclear arms reduction talks. Satellites created “national technical means” of verification: the capability to detect compliance with arms control treaties without the need to intrude on territorial sovereignty. They reduced the chances of human miscalculation by increasing the information available to decision makers about the intentions of other nations.

The US has made the most progress in the second mission, force enhancement, by using space to boost conventional military abilities. GPS enables the exact deployment of units, the synchronization of combat maneuvers, clearer identification of friend and foe, and precision targeting. In its recent wars, the US has used satellite information to find the enemy, even to the level of individual leaders, deploy on-station air or ground forces, and fire precision-guided munitions to destroy targets with decreased risk of collateral damage. American military leaders have argued that continued integration of space and conventional strike capabilities will allow the US to handle the twenty-first century threats—**terrorism, rogue nations, asymmetric warfare, and regional challengers**—more effectively with less resources.

The third and fourth space missions focus on space itself. Space control involves freely using space to one’s benefit while denying access to opponents. Conceptually akin to air superiority, space control begins with defense: hardening command, control, communications and reconnaissance facilities to prevent enemy interference. It includes shielding satellite components, giving them the ability to avoid collisions, disguising their location, and arming satellites to destroy attackers.2

Such forms of active defense can blend into the fourth mission: space force. Space force envisions weapons systems based in orbit that can strike targets on the ground, in the air, or in space. In an important respect, **space control and force application demand a greater exercise of power than air or naval superiority**. While air and naval superiority can be achieved through rapid deployment of assets for the duration of a conflict, dominance in space requires a broader geographic scope and longer-term duration—a constellation of space weapons would circle the globe for years.3It is in this realm that new weapons technologies are emerging, prompting questions of whether space-faring nations like the United States should treat space as another area for great power competition. “The reality of confrontation in space politics pervades the reality of the ideal of true cooperation and political unity in space, which has never been genuine, and in the near term seems unlikely,” argues Everett Dolman.4 The US certainly has taken such concerns to heart. In the decade ending in 2008, for example, the US increased its space budget from $33.7 billion to $43 billion in constant dollars. The entirety of this spending increase went to the Defense Department.

These weapons systems take several forms. Already operational, the US national missile defense system relies upon satellites to track ballistic missile launches and help guide ground-launched kill vehicles. Space-based lasers, like those in development by the US today, remain the only viable method to destroy ballistic missiles in their initial boost phase, when they are easiest to destroy.

American reliance on space-based intelligence and communication for its startling conventional military advantages has made its satellites a **target of potential rivals**. In 2007, for example, China tested a ground-launched missile to destroy a weather satellite in low earth orbit—the same region inhabited by commercial satellites. “For countries that can never win a war with the United States by using the methods of tanks and planes, attacking an American space system may be an irresistible and most tempting choice,” Chinese analyst Wang Hucheng has written, in a much-noticed comment.5

Though the 2007 ASAT (Anti-satellite weapon) test sparked international controversy, China had only followed the footsteps of the superpowers. The United States had carried out a primitive anti-satellite weapon test as early as 1959. During the Eisenhower, Kennedy, and Johnson administrations, the US continued to test anti-ballistic missile systems in an anti-satellite role. The Soviet Union followed suit. The superpowers temporarily dropped these programs with the signing of the Anti-Ballistic Missile Treaty of 1972, only to restart them in the 1990s. As rivals and rogue nations begin to mimic American development of force enhancement and space control abilities, the US will naturally develop anti-satellite weapons to restore its advantage and deter attacks. Such anti-satellite weapons may become even more common due to the vulnerability of satellites and the spread of ballistic missile technology.

Critics question whether the benefits of space weapons are worth the possibility of strategic instability. They argue that only arms control agreements and international institutions can head off a disastrous military race in space. But space will become an arena for pre-emptive deterrence. Every environment—land, air, water, and now space—has become an arena for combat. The US could deter destabilizing space threats from rivals by advancing its defensive capabilities. Some realist strategists argue not just in favor of protecting US space assets, but seeking US space supremacy. Because great power competition has already spread to space, the United States should capitalize on its early lead to control the ultimate high ground, that of outer space.

Criticisms of space weapons overlook the place of force in international politics. Advances in space technology can have greater humanitarian outcomes that outweigh concerns with space weapons themselves. Rather than increase the likelihood of war, space-based systems reduce the probability of destructive conflicts and limit both combatant and civilian casualties. Reconnaissance satellites reduce the chances that war will break out due to misunderstanding of a rival’s deployments or misperception of another nation’s intentions. Space-based communications support the location of targets for smart weapons on the battlefield, which lower harm to combatants and civilians. Space-based weapons may bring unparalleled speed and precision to the strategic use of force that could reduce the need for more harmful, less discriminate conventional weapons that spread greater destruction across a broader area. New weapons might bring war to a timely conclusion or even help nations **avoid armed conflict in the first place**. We do not argue that one nation’s overwhelming superiority in arms will prevent war from breaking out, though deterrence can have this effect. At the very least, space weapons, like other advanced military technologies, could help nations settle their disputes without resort to wider armed conflict, and hence bolster, rather than undermine, international security.

#### Counterplan solves scenario 1 – climate solutions rely on REMs

Arrobas et al 17 [(Daniele La Porta Arrobas is a senior mining specialist with the World Bank based in Washington DC and has degrees in Geoscience and Environmental Management, Kirsten Hund is a senior mining specialist with the Energy and Extractives Global Practice of the World Bank and holds a Master’s in IR from the University of Groningen in the Netherlands, Michael Stephen McCormick, Jagabanta Ningthoujam has an MA in international economics and international development from JHU and a BS in MechE from Natl University of Singapore, John Drexhage also works at the Intl Institute for Sustainable Development) “The Growing Role of Minerals and Metals for a Low Carbon Future,” World Bank, June 30, 2017, <https://documents.worldbank.org/en/publication/documents-reports/documentdetail/207371500386458722/the-growing-role-of-minerals-and-metals-for-a-low-carbon-future>] TDI

* Full report - https://documents1.worldbank.org/curated/en/207371500386458722/pdf/117581-WP-P159838-PUBLIC-ClimateSmartMiningJuly.pdf

Climate and greenhouse gas (GHG) scenarios have typically paid scant attention to the metal implications necessary to realize a low/zero carbon future. The 2015 Paris Agreement on Climate Change indicates a global resolve to embark on development patterns that would significantly be less GHG intensive. One might assume that nonrenewable resource development and use will also need to decline in a carbon-constrained future. This report tests that assumption, identifies those commodities implicated in such a scenario and explores ramifications for relevant resource-rich developing countries. Using wind, solar, and energy storage batteries as proxies, the study examines which metals will likely rise in demand to be able to deliver on a carbon-constrained future. Metals which could see a growing market include aluminum (including its key constituent, bauxite), cobalt, copper, iron ore, lead, lithium, nickel, manganese, the platinum group of metals, rare earth metals including cadmium, molybdenum, neodymium, and indium—silver, steel, titanium and zinc. The report then maps production and reserve levels of relevant metals globally, focusing on implications for resource-rich developing countries. It concludes by identifying critical research gaps and suggestions for future work.

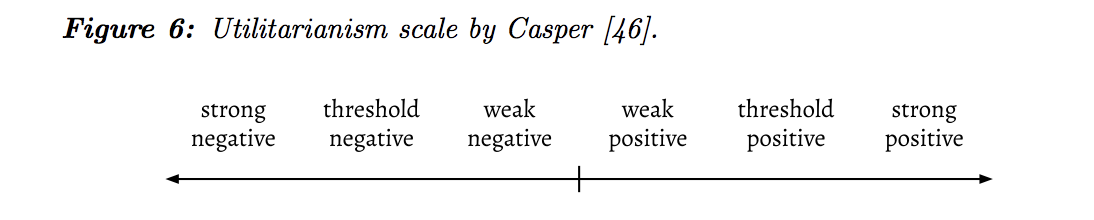
## Case

#### Use weak negative util when evaluating the costs and benefits of space colonization.

**Kovic 20** Marko holds a PhD in communication science from the University of Zurich. Marko is interested in rationality, (existential) risk mitigation, and the long-term future of humankind. He is also CEO of the rationality consultancy ars cognitionis. [“Risks of space colonization” Marko Kovic July 2020]//Mberhe

6.1 Is space colonization desirable in light of its risks? In the previous sections, I have outlined some prioritization, aberration and conflict risks that could create enormous disvalue — potentially many times greater than the total positive future expected value of humankind. In light of such risks, we have to ask whether space colonization is desirable at all. The answer to this question depends on the moral framework we use to answer it.

The moral perspective of the present article is, broadly speaking, utilitarian in scope: Space colonization matters because of humankind’s potential positive future value, and the risks of space colonization matter because of their potential negative disvalue. However, deciding what matters how much or even categorically more depends on the flavor of utilitarianism one adheres to. Casper [46], inspired by discussions on the merits of negative utilitarianism [47, 48], proposed a simple one-dimensional scale to distinguish between negative, suffering-focused varieties of utilitarianism and positive, happinessfocused varieties. The scale is is depicted in Figure 6.



Strong negative utilitarianism means that only suffering and reducing suffering matters. Strong positive utilitarianism accordingly means that only happiness and increasing happiness matter. Threshold negative utilitarianism means that there is some threshold of suffering beyond which no amount of happiness can compensate it; threshold positive utilitarianism means the opposite, that there is a threshold of happiness beyond which no amount of suffering can outweigh it. Weak negative utilitarianism means that there is an asymmetry between suffering and happiness; happiness matters, but suffering should receive greater weight. Correspondingly, weak positive utili tarianism sees suffering and happiness as commensurable, but places greater weight on happiness.

I personally tend towards weak negative utilitarianism. Happiness and wellbeing matter, but an equal amount of suffering does not only nullify that happiness but actually create a moral net negative. Indeed, large portions of the argument in this article only make sense if one adopts a negative flavor of utilitarianism (Or possibly one in which happiness and suffering are regarded as perfectly equal in moral weight.). From the point of view of weak negative utilitarianism, space colonization can be regarded as a worthwile effort if and only if the accompanying risks of space colonization that can create equal or greater disvalue are mitigated. The net moral outcome needs to be positive, and very clearly so. From a utilitarian perspective closer to the strong negative interpretation, however, the prospect of space colonization can be regarded as categorically undesirable given the risks; at least as long as there is no way to completely mitigate the most grave ones such as astronomical suffering. If we adopt a weakly negative utilitarian view of space colonization and its risks, we must emphasize risk management and mitigation. But this forces us to face another question: Is it even possible to meaningfully influence the long-term future?

#### Space col causes inter-colony wars and war with ETs---extinction.

Marko **Kovic 18**. Social scientist (PhD in political communication, University of Zurich), co-founder and CEO of the consulting firm ars cognitionis, co-founder and president of the thinktank ZIPAR, the Zurich Institute of Public Affairs Research. 06-12-18. “Political, moral, and security challenges of space colonization.” ZIPAR. https://zipar.org/discussion-paper/political-moral-security-challenges-space-colonization/

3.3 Extraterrestrial life The scientific understanding of the origins of humankind and of life on Earth thus far paints a clear picture: We are the “products” of biological evolution, just as all other life forms on Earth. Furthermore, we know that life can come into existence where there was no life before, through so-called abiogenetic mechanisms. These basic facts lead to a clear conclusion: It is very improbable that life on Earth is a once-in-a-universe event; it is highly probable that life has come into existence elsewhere in the universe as well. We do not know whether extraterrestrial life currently exists, and whether there is any extraterrestrial life in our vicinity (as far as we know, there is none in our Solar System). In theory, our galaxy might be full of life and even highly intelligent and technologically advanced life, but, as the famous Fermi paradox posits32, there is no trace of any extraterrestrial intelligence. Be that as it may, it is possible that there is extraterrestrial life beyond Earth, and it is possible that we will come into contact with extraterrestrial life due to colonization activity. What should our moral attitude towards extraterrestrial life look like? The moral issue of our attitudes towards extraterrestrial life can be divided into three classes of problems, according to the type of life we are dealing with: Primitive non-sentient life. Primitive sentient life. Non-primitive sentient life. Primitive non-sentient life are life forms that resemble microbial life forms on Earth, such as bacteria. Extraterrestrial microbial life can be of great instrumental value, specifically to humans, but also in a more general sense. That is a strong argument in favor of studying and preserving extraterrestrial microbial life33; we should not go out of our way to destroy microbial life, because that life might be very useful. The main moral issue about primitive non-sentient life, however, is not the question of instrumental value, but rather the question of intrinsic value: Is there a moral obligation for humans not to manipulate or even end extraterrestrial microbial life forms? This problem is, in all likelihood, the most pressing moral issue about extraterrestrial life and space colonization and one that deserves greater practical attention34. A common argument in favor of the intrinsic value position is that of conation or goal-orientedness35 36: Because even microbial life forms act vaguely rational (they have goals and behave so as to achieve their goals), their existence has some intrinsic value. The problem with this moral argument is that it can easily lead to the conclusion of strong conservationism, whereby any habitable planet or moon should remain uncolonized, lest we interfere with microbes that we might have failed to detect37. In addition, if we accept a strong version of the intrinsic value argument, we already have immense moral problems: On Earth, we do not particularly care for any microbial life form on intrinsic grounds, and we even actively fight some of them. Primitive sentient life are life forms that are not as intelligent as humans, but that are sentient, in the sense of being able to experience positive or negative affective states. Even though sentience is not a perfectly precise concept38, and even though we lack the means for truly assessing qualia (subjective experiences) of life forms other than humans39, it is almost certain that we humans are not the only life form capable of experiencing pain and pain-related suffering and that many animals on our planet are sentient as well40. Sentient extraterrestrial life forms require a different moral stance than non-sentient life forms. Imagine, for example, that two human space ship are about to land on an exoplanet. As the space ships are landing, the exhaust from their engines heats up the ground. Space ship A is landing on a nest of insect-like non-sentient life forms, frying them alive in the process. Space ship B is landing on a herd of bunny-like sentient creatures, frying them alive in the process. Both outcomes are unfortunate, but undoubtedly, killing the sentient bunny-like creatures must be morally worse than killing the non-sentient insect-like creatures, because the bunnies experienced enormous pain while they were being killed. Our moral stance towards sentient primitive extraterrestrial life will have to take sentience into account. Avoiding suffering in sentient extraterrestrial life should be a universal rule of space colonization. Somewhat obviously, such a rule would also prohibit treating sentient extraterrestrial life forms as food (But it is highly improbable that humans would have to routinely rely on extraterrestrial sentient life forms as sources of nutrition, even though we would be technologically advanced enough to engage in intersolar space colonization. We are in the process of overcoming traditional agriculture today41; reverting to traditional agriculture on future extrasolar colonies would amount to an extraordinarily improbable and inefficient anachronism.). Non-primitive sentient life are life forms that are sentient and possess a general intelligence at least as great as our own (It is possible that highly intelligent life forms might be non-sentient, but at least on Earth, sentience seems to correlate with intelligence.). The moral challenge of this type of extraterrestrial life is the same as with primitive sentient life, and there are additional moral problems to consider. If there are intelligent life forms beyond Earth, their levels of technological development will have great variance; some life forms will be intelligent, but not yet developed, whereas others will be intelligent and much more technologically advanced than we are. Intelligent life forms that are less technologically developed than we are present us with a moral problem: Should we interact with such civilizations and try to help them develop faster and overcome problems? This moral problem has perhaps most famously been explored in the television show Star Trek with its “Prime Directive”: The fictional United Federation of Planets is never to interfere with a technologically undeveloped civilization in order to avoid doing damage (Alas, the protagonists of Star Trek end up violating the Prime Directive time and again; doing so makes for a good story.). More generally, the problem of non-interference can be described as a reversed Zoo hypothesis42, whereby it is not extraterrestrial civilizations treating Earth like a conservation project, but us humans pondering whether we should treat extraterrestrial civilizations as conservation projects. A strong argument in favor of non-interference is the risk of both causing bad outcomes, both in the short- as well as in the long-term. Interacting with less developed civilizations might inadvertently do more harm than good, and it might steer the affected civilizations away from a path to development that might be beneficial to humankind in the long run. On the other hand, however, not investing a small amount of resources to greatly improve lives and reduce suffering seems morally dubious. If an extraterrestrial civilization that is going through a historical era similar to our Middle Ages is confronted with some catastrophic disease like our Black Death pandemic, not helping that civilization fight that pandemic seems cruel; not least because the cost for helping that civilization would almost certainly be trivially low. 3.4 Cosmic suffering Imagine that humankind has successfully mastered phase II colonization (colonization beyond our Solar System). All the problems described in the previous sections and subsections have long been successfully solved, and humankind is progressing steadily and peacefully. Then, something happens. At some point and for some reason, future humans decide that they do not want to merely engage in space colonization, but to do more: Actively seed the universe with (non-human) life43. Given the technological development of future humankind, it is relatively easy to send out non-sentient primitive life forms across the galaxy. Unfortunately, something horrible happens: The primitive microbial life-forms sent out into the cosmos mutate into aggressive bacteria that attack any life form they encounter, including sentient life – and in doing so, they cause tremendous pain and agony in the organisms they attack. The benevolent idea of spreading life has quickly turned into unimaginable suffering of trillions of sentient beings across the galaxy. Colonizing humans have thus created suffering on a cosmic, or astronomical, scale44. Cosmic suffering is the risk of creating suffering on a scale that is either not possible or not as probable without space colonization. There are many potential scenarios in which successful space colonization results in cosmic suffering. For example, the general problem of the repugnant conclusion discussed further above can also be regarded as an example of this class of risks. Cosmic suffering is a severe problem because it is contingent on, or at least made more likely by, successful space colonization. The conceptually challenging aspect of cosmic suffering is the correlation of cosmic suffering with the degree of space colonization: The greater the level of space colonization, the greater the risks of cosmic suffering become. This is the opposite of the relationship between space colonization and existential risks: The greater the level of space colonization, the lower existential risks become – this is one of the main motivations for space colonization, after all. In other words, successful space colonization decreases the probability that something goes wrong for humankind in terms of existential risks, but it increases the probability that something goes wrong in terms of suffering for the whole universe. 4. Security challenges In the above discussions of political and moral challenges, it is presumed that the problems and challenges that arise do so in a generally peaceful system of colonization. However, peace in the sense of a lack of armed conflict is not guaranteed with space colonization. On the contrary: Space colonization might produce new kinds of security challenges. 4.1 Inter-colonial war Violence and war have been decreasing over the course of our civilization’s history45 46 47. The decrease in violent armed conflict has coincided with an increase in cultural, political, and economic interconnectedness. Even though major armed conflicts are not yet a thing of the past48, humankind will probably continue on its current trajectory of peace. With space colonization, however, the trend of growing closer together might reverse because of increasing fragmentation, and with that reversal, peaceful cooperation might again give way to armed conflict. Some amount of human fragmentation due to space colonization is almost inevitable. One of the strongest biases we humans have is the intergroup bias49: We tend to separate people into ingroups and outgroups, and we generally favor our own ingroup over any outgroup. Our ingroup favoritism is often the source of collective identity: We identify with our home city and think it is better than other cities; we identify with our favorite football team and think it is better than other teams; we identify with our country of origin and think it is better than other countries. In a future in which humans have successfully mastered type I colonization (colonization within our Solar System) and perhaps even type II colonization (intersolar colonization), belonging to one habitat rather than another will almost certainly also be a source of collective identity. Humans born and raised on Venus would probably have more positive general attitudes towards Venus than towards Earth. That is not a problem in and of itself, but it can become a problem: If humankind is very successful at space colonization and manages to establish colonies across the galaxy, the ingroup dynamics within colonies and regions of colonies might grow so much that the perceived benefits of armed conflict increase, and the perceived costs decrease. In part, this might be due to the infrahumanization (or dehumanization) bias50: Our intergroup bias can have the effect of perceiving members of the outgroup as less human than members of our own ingroup. The problem of intergroup bias and armed conflict could be compounded by real biological differences in the long-term future. In the long term, different colonies of humans might adopt different stances on human enhancement technology and embrace different kinds of enhancement technologies. These differential paths of human enhancement might result in technology-induced quasi-speciation, whereby different strands of humans have increasingly distinct biological traits. The ultimate result of such a development might be a strong fragmentation of humankind and an increasing arms race in order to defend against the outgroup of all the (former) humans that are different from the ingroup (former) humans51. 4.2 Extraterrestrial (existential) risks Space colonization will increase the probability of discovering and coming into contact with extraterrestrial intelligence, either biological or artificial (in the sense of hypothetical advanced artificial general intelligence52). That prospect poses some moral challenges, as argued in subsection 3.3. However, it might also pose a security challenge if an extraterrestrial intelligence more technologically advanced than humankind has goals and preferences that go against the goals and preferences of humankind. In general, there are three categories of attitudes an extraterrestrial intelligence can have towards humankind53. First, an extraterrestrial intelligence can be benevolent. A benevolent extraterrestrial intelligence is one that would change its goals and preferences upon learning of humankind. Humankind is a benevolent intelligence: If we, for example, came into contact with an extraterrestrial civilization, we would obviously take the goals and preferences of that civilization into account and update our own goals and preferences, since we are morally advanced enough to do so. Second, an extraterrestrial intelligence can be apathetic. An apathetic extraterrestrial intelligence is one that does not at all change its goals and preferences upon learning of humankind. An apathetic intelligence would neither try to accommodate humankind, nor would it react in some non-friendly way. It would not care at all. The attitude of an apathetic intelligence is similar to the attitude we humans have when it comes to some random microbial life form on Earth: We might understand that that life form exists, but we do not care either way. Third, an extraterrestrial intelligence can be hostile. Hostility in a general sense means that an intelligence reacts to learning of humankind by regarding its own goals and preferences as categorically more important than humankind’s. A hostile extraterrestrial intelligence is not necessarily a security threat to humankind; hostility in this context does not mean hostility in the Hollywood kind but hostility in the sense of active disregard of humankind’s goals and preferences. That, however, might still represent a tremendous security risk. For example, a hostile intelligence might prefer humankind not to exist because our mere existence is perceived as a slight discomfort to the extraterrestrial intelligence. Hostile extraterrestrial intelligence thus represents a form of existential risk.

#### Outweighs on scope---NOT just earth life, but all life in the universe would end.

Phil **Torres 18**. Project for Future Human Flourishing. 06/2018. “Space Colonization and Suffering Risks: Reassessing the ‘Maxipok Rule.’” Futures, vol. 100, pp. 74–85.

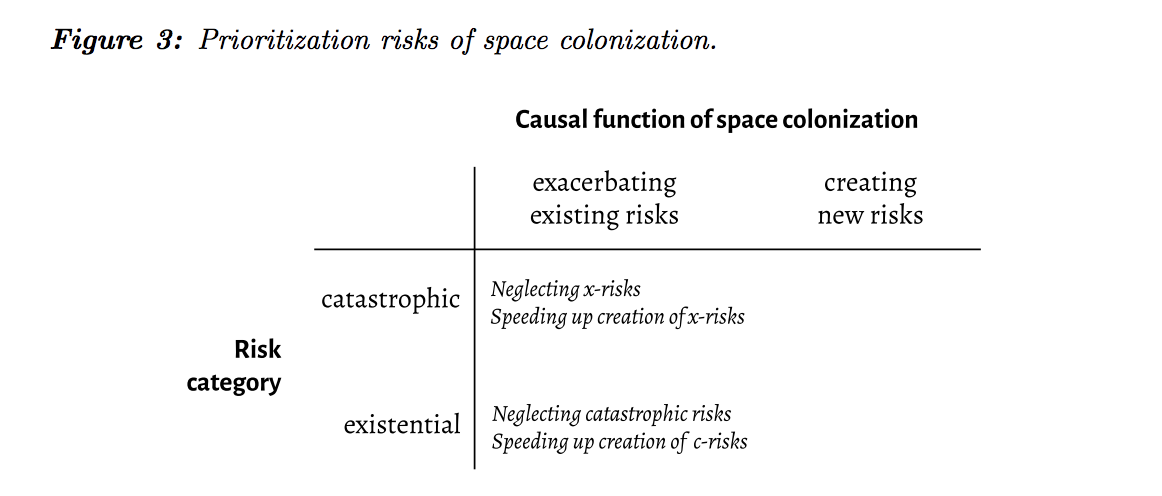
5. Space-Age Weaponry and the Balance of Terror Yet there is another strategy for neutralizing the Hobbesian trap, namely, a policy of deterrence, also known as a “balance of terror” or, during the Cold War, “mutually-assured destruction” (MAD). This asserts that “if you strike me, I will most assuredly strike back with equal or greater force, and if I strike you it will only be because you struck me first.”xvii Deterrence is only effective when one’s adversaries genuinely believe the statement, “I will most assuredly strike back.” This returns us to Hobbes’s third cause of conflict from section 3: glory, honor, or credibility. To establish credibility and, therefore, dissuade potential attackers, one has reason to engage in confrontations with others and, in doing so, to demonstrate one’s capacity for violence. The question is whether policies of deterrence implemented by civilizations throughout the cosmos would be sufficient to obviate war. To answer this question, let’s begin by considering the unsettling range of weapons that will likely be available to our spacefaring progeny; we will then explore how these weapons could enhance or mitigate the effectiveness of deterrence. 5.1 Weapons of Total Destruction (WTDs) There are a variety of “kill mechanisms” that one civilization could use to obliterate another. In relatively close propinquity, chemical and biological weapons could offer a means of targeted violence, since the deleterious effects of such weapons might be limited to a particular species (Deudney forthcoming). For example, the toxicity of a chemical X might be low for a species A but lethal to a species B. This could enable A to use X on B without fear of X harming A—a concern that has dissuaded some terrorists from employing chemical weapons. The same goes for a pathogenic germ Y: since pathogens often only harm single species, biological weapons could be used without the perpetrators worrying about becoming sick. With respect to artificial intelligences, there could be viral malware that affects only certain types of software; in this case, such viruses could be transferred not at the velocity of a sneeze but at the speed of light, traversing astronomically large stretches of space to devastate colonies of artificial-substrate beings. Another possibility involves weaponizing “minor planets” like asteroids. This hints at the deflection dilemma discussed by Sagan (1994), among others, whereby the very same technology that could deflect an asteroid away from Earth could also be used to redirect one toward it. The resultant “planetoid bombs” could be launched in the direction of target civilizations at extremely high velocities and inflict far greater destruction than all the nuclear arsenals on Earth combined (see Cole and Cox 1965; Deudney forthcoming). Even more, asteroids are extremely numerous in the solar system and have a wide range of sizes, with estimates of 1.1 to 1.9 million that have greater-than-1-kilometer diameters in the asteroid belt between Mars and Jupiter. (A 1- kilometer impactor striking Earth would likely annihilate humanity by causing an impact winter.) Thus, asteroids constitute an abundant source of easily obtainable, civilization-ending weaponry— a particularly worrisome fact given that the technological capabilities to redirect asteroids will likely emerge at an early stage in our diaspora “out of Earth,” as it were (see Deudney forthcoming). Other futuristic space weapons include military drones that either initiate attacks or engage in clandestine surveillance of other civilizations. Such drones could hide themselves from counter-surveillance detectors by employing metamaterial invisibility cloaks and propagate themselves through the von Neumann process of self-replication, that is, by converting raw materials into clones of themselves. There is also the possibility of using “heliobeams,” or “sun guns,” to destroy targets by concentrating large amounts of solar radiation via a concave mirror on a satellite. Even more catastrophic are direct-energy weapons (DEWs) like lasers and particlebeams that use highly focused energy to superheat their targets. In fact, the US government has already developed weapons of this sort—they are science fact rather than fiction—although future breakthroughs could enable them to become immensely more destructive. If this is the case, they will offer yet another mechanism for wreaking unprecedented harm (see Deudney forthcoming). Along these lines, Anders Sandberg (forthcoming) suggests that technologically advanced civilizations could potentially use gravitational waves to create black holes. Generating waves of sufficient intensity would be energetically inefficient, according to current physics, but they have the advantage that they can interact with dark matter objects, unlike electromagnetic-energy weapons. Even more, the universe appears to be in a “metastable” energy state. This suggests that one could tip it into a more stable, lower-energy state, perhaps by concentrating huge quantities of energy in tiny regions of spacetime, as occurs in some high-powered physics experiments. In other words, a particle collider could be weaponized to intentionally nucleate a “vacuum bubble,” or sphere of “true vacuum” spreading in all directions at the speed of light and destroying everything with which it comes into contact. Who might weaponize a particle collider? First, there could be actors who use the threat of a vacuum bubble for blackmail purposes. Second, there could be madmen (like Hitler) who create a vacuum bubble to avoid defeat. That is to say, a predatory actor could hold the following preference ordering: (i) triumphant victory over, say, its Local Group, (ii) total annihilation of the universe, and (iii) defeat. Third, particle colliders would also be the ideal WTD for RNUs, since it would enable them to obliterate not only all extant life in the universe but the very potential for life to arise—and it would do this without inflicting any suffering whatsoever.xviii Another possibility is that Tuckerian actors create a vacuum bubble for the purely defensive reason of eliminating all potential attackers in the universe. As Sandberg (2017) speculates, it might be possible for “certain configurations of matter, energy, black holes, etc. [to] induce a post-transition structure that can act as an assembler.” This “assembler” would enable “some information [to] be transmitted into the new state,” thus making it possible for a civilization to “survive,” in some sense, the universe settling into a lower-energy configuration. On the other side of this transition, the “structure” can recrudesce into a daughter new civilization with the certitude that it is completely alone and, therefore, safe. Finally, it is crucial to note that future beings—some of whom may have hugely augmented cognitive capacities—will almost certainly invent new weapons that are more powerful and effective than anything we could imagine. Such weapons could enable civilizations—or perhaps lone wolves, of which there could be, once again, trillions and trillions and trillions—to cause unprecedented injury to other civilizations. Consider the following passage from Bostrom (2013): One can readily imagine a class of existential-catastrophe scenarios in which some technology is discovered that puts immense destructive power into the hands of a large number of individuals. If there is no effective defense against this destructive power, and no way to prevent individuals from having access to it, then civilization cannot last, since in a sufficiently large population there are bound to be some individuals who will use any destructive power available to them. Scale this up from the individual level to the cosmopolitical level and the same conclusion follows: Life in the universe cannot last.

#### Reject their impact uniqueness:

#### (1) Prioritization risks go neg – flips try or die rhetoric of get off the rock.

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Prioritization risks arise because the moral goal of colonizing space — creating positive expected future value — can be better achieved by addressing existing risks instead of pursuing space colonization. Delaying space colonization in favor of mitigating existing risks can result in a significantly better long-term future. The specific prioritization risks that I discuss in the subsections below are depicted in Figure 3,



The two prioritization risks I focus on, neglecting existing risks and speeding up the creation of new risks, can be both catastrophic as well as existential

in nature.

3.1 Neglecting existential risks Space colonization is, as I argue in the introduction, a generalized strategy for the mitigation of existential risks: If we manage to establish permanent and sustainable habitats beyond Earth, there is a chance that existential risks would either become less probable or cease to be existential at all because not all proverbial eggs are in the same basket. Given this premise, it is tempting to extrapolate it into real-life policy: If space colonization is a hedge against existential risks, then achieving space colonization capabilities must be our top priority. The problem with this prioritization strategy is that while it might, on its own, increase the probability of space colonization, it ignores the probabilities of existing existential risks. If we want to create as positive a future for humankind (in the sense of increasing humankind’s future moral expected value), then we need to weigh the benefits of achieving space colonization capabilities sooner rather than later against the benefits of reducing existential risks. When we compare the benefits of these two approaches, as Bostrom [2, 5] argues, it quickly becomes obvious that that the benefits of even marginally reducing existential risks over a given time period are probably much greater than the damage of delaying space colonization by that same time period.

A delay of, say, 100 years in colonizing space has a relatively minor negative impact compared to the immense positive impact of even marginally reducing existential risks in the same time frame. If we, for example, adopt the conservative estimate of 1015 total future human lives if humankind goes on to enjoy a colonized long-term future [23], then reducing overall existential risks by merely 0.0001 (one percent of one percent) has an expected value of 1011, or 100 billion, lives. Even the tiniest reduction in existential risks has therefore an immense positive benefit that easily offsets the positive benefit of achieving space colonization capabilities sooner rather than later. This is almost certainly true even if we take into account the potential contribution of space colonization to mitigating existential risks.

Early colonization efforts are unlikely to mitigate existential risks as much as targeted existential risk mitigation strategies because the early stages of colonization are bound to be small in scale and fragile. Early habitats would in effect do next to nothing to mitigate existential risks, so creating those early habitats as quickly as possible would do very little in terms of existential risk mitigation. The practical question that arises with this prioritization risk is how inherently limited resources should be spent. Existential risk mitigation is currently somewhat of an academic niche topic that receives limited public and policy attention, except maybe for the issues climate change mitigation and nuclear safety. Space exploration, on the other hand, is an established policy branch. In 2018 alone, governments spent over 70 billion US dollars on their respective space exploration agencies [24]. Of course, not all of that money is directly used for space colonization efforts5 , but space exploration-related public spending is orders of magnitude greater than spending on some important existential risk mitigation areas. For example, the area of AI safety which is concerned with the existantial risk posed by artificial intelligence and the prospect of uncontrollable superintelligence is funded only to the tune of around ten million dollars a year, even though it is currently one of the greates existential risks [25].

3.2 Speeding up the rate of existential risk creation Achieving space colonization capabilities means obtaining sufficiently advanced technology for venturing beyond Earth and permanently sustaining human life there. In order to achieve that goal, maximizing the pace of technological development seems like an instrumentally desirable goal: The faster we technologically innovate and develop, the higher the probability of obtaining space colonization captabilities. However, the problem with such a technological push is that the increased pace of technological development might also result in an increased pace of existential risk creation. As I argue above in subsection 2.1, anthropogenic existential risks correlate with human technological development. All non-natural existential risks are the result of our technological progress, and more technological progress is likely to beget more existential risks.

Of course, this should not be misunderstood as a quasi-Luddite argument against all technological progress in general. Scientific and technological progress has made life enormously better and removed tremendous amounts of suffering from the world, to the benefit of current as well as all future generations. However, existential risks are an unprecedented challenge, and the more numerous and probable they are, the more difficult it is to mitigate them in time. In the context of space colonization, this issue is of elevated importance because, as I argue above in subsection 3.1, delaying space colonization has an almost imperceptible impact on the long-term future of humankind, whereas existential risks and our attempts at mitigating them (or failing to do so) has an enormous impact.

#### (2) Each uniqueness claim is backwards – even if extinction on earth is likely space colonization doesn’t solve but makes each risk MORE likely.

**Morton 18** Adam Morton FRSC was a Canadian philosopher. Morton's work focused on how we understand one another's behaviour in everyday life, with an emphasis on the role mutual intelligibility plays in cooperative activity. He also wrote on ethics, decision-making, philosophy of language and epistemology. [ “Colonizing Other Planets Could Trigger War on Earth” | Opinion <https://www.newsweek.com/colonizing-other-planets-could-trigger-war-earth-and-ecological-disaster-1226630> Newsweek]//Mberhe

Plans for the exploration and even colonization of other planets are very much in the air, and getting to Mars in particular has become a billionaire's hobby lately. Elon Musk would like to establish a human colony on Mars in a matter of decades. (For the foreseeable future—a century, I would venture—Mars will be the only real possibility.) But planetary colonies may be a bad idea, even a disastrous idea. So, it is important to see the arguments against them, as well as their appeal. I begin with a reason that is sometimes made central to proposals for colonies—the idea that we should achieve them as soon as it is feasible. It is a call for escape from imminent danger. The idea is that nuclear war, ecological catastrophe, or the rise of artificially intelligent robots, will wipe out humans on Earth. But a colony far away might survive, so that the species continues. Stephen Hawking is among those who have argued, or usually just pronounced, for versions of this (and if you want scientific authority, it is hard to do better). But the idea has serious flaws. It is hard to think of even a post-apocalyptic Earth that is less hospitable to any terrestrial life than Mars, let alone elsewhere in the solar system, so the challenges are enormous. But let us ignore that. Suppose that a colony had a reasonable chance of surviving, would the argument from danger justify founding it soon? I think not. One danger is nuclear and biological war: One nation or ethnic group fears or hates another enough to unleash bombs or viruses. In a bad scenario they succeed. Millions die, and their territory becomes uninhabitable. In the worst scenario, the other side retaliates or the affliction spreads and eventually everyone is dead. But people survive on Mars. Which people? They will include members of one group or their opponents, so if the aim really is to wipe out this group it will be directed at the colonists as well. They are hated, and they are capable of retaliation. Bomb-bearing rockets are much simpler to make than people-bearing rockets. And someone crazy enough to push the button would be crazy enough to direct them at the hated enemy wherever they are found. So, the colony would not be safe. At any rate, it will not be not safe enough that founding it is a better bet than making war less likely on Earth. Worse, any nation party to founding a colony will arouse suspicion in its enemies that it is scheming to start and survive a war. And this makes war more rather than less likely. Another danger is the rise of smart robots. But again, there is no escape in space. Space travel and running a colony use as much computation as they can get. This was true of the moon landings and it is even truer now. Human beings have an essential role in plans and design, but on the trip itself they are mostly just going along for the ride. So, imagine, just for the sake of argument, that hyper-calculating artificial intelligences are in a position to threaten human civilization. The extension of that civilization on another planet relies even more on those very powers, which will have to be networked to earthly computation. If mere humans can hack into machinery in targeted countries to disrupt them, then these super-capable but malevolent AIs will have no problem. Whatever their "motives," these will be the same elsewhere as on earth, and space is less of an obstacle to the flow of (mis)information and commands than to the flow of people and physical objects. No safety there. The third danger is ecological. We are ruining the climate and polluting the oceans. We could develop technology that mitigated or even reversed the dangers. It would be easier than developing technology for surviving on Mars, where we must grow food and create oxygen in a very cold and dark environment without much protection from radiation and a limited supply of water. Moreover, getting enough people to Mars to make a colony that could survive without help from home, self-sufficient technologically and with enough genetic diversity that our already rather uniform species would have a future, would involve a lot of rockets. Musk talks in terms of 10,000 flights, although some plans require more. And this would be just to get things started. We just do not know what the impact on the earth and its atmosphere of the launches and the prior manufacturing would be. It would not be positive, at any rate. And industrial power and scientific brains would be diverted away from the needs of earth to the well-being of the colony. It is not what we need; you would only think that we could afford it if you were blind to how desperate things really are. So again, the colony solution is likely to make the earthly situation even more dire.

#### (3) UQ of “extinction inevitable” means nothing - colonization doesn’t reduce existential risk – Earth-bound threats outweigh even in long term risk management – risk dynamics paradox proves.

* Short- and long-term risk assessment should focus on protecting earth
* Earth gets riskier as tech advances which raises the risk that our impact happens before colonization
* Even if tech gets there, future social and economic context prevents missions
* Risk Dynamics Paradox – existential risks are rooted in human psychology, so they’ll follow us to space – Bostrom agrees!

**Szocik 19** [Konrad Szocik, University of Information Technology and Management in Rzeszow, Department of Philosophy and Cognitive Science. Should and could humans go to Mars? Yes, but not now and not in the near future. Futures Volume 105, January 2019, Pages 54-66. https://www.sciencedirect.com/science/article/pii/S001632871830199X]

I argue, following other authors (Baum, 2009; Baum, Denkenberger, & Haqq-Misra, 2015; Jebari, 2015; Sandberg, Matheny, & Ćirković, 2008; Turchin & Green, 2017) that human **space settlement** is **not able** to **reduce** and/or to exclude the **risk** of **human extinction**. For this reason, it should **not be perceived** in terms of space **refuge**. In terms of **both** **short-term and long-term** perspectives of **risk assessment**, it would be **better** to **protect humans on Earth**.5 I reject the supportive role which could be played by human space settlement after a catastrophe on Earth, i.e., a recovery coordination mission. Due to so-called the paradox of technological progress discussed in the last section, further putative progress in space technology will be counterbalanced by increasing **anthropogenic risks** including, among others, overpopulation and limited resources (these anthropogenic threats are unavoidable in near future, in contrast to other risks that are only more or less probable but not unavoidable). Permanent lack of strong rationale for human mission to Mars – both now and in the near future – leads to paradoxical situation. **Even if** in some point in the future the **minimum** level of advancement in human deep-space technologies will be achieved, **social**, **political**, and **economic** contexts will gradually **decrease** the **chances** for real **preparation** of this mission. Another paradox, let’s call it the **risk dynamics paradox**, is that the most probable threats in the near future are, as **Bostrom** and Cirkovic (2008) **argue**, **anthropogenic threats** caused by civilizational and technological progress. The paradox lies in the fact that humans are **not able to run** from these kinds of risks that are **rooted** in **their way of thinking**, **style of life**, and **population dynamics**, risks implied by Malthus’ law. The human species can try to protect against natural disaster but not against deleterious effects of its own technological progress. In regard to possible future existential risks, I assume that their deleterious power is a little bit exaggerated, and, in any event, human space settlement is not a right way to cope with them. However, in any case, it is hard to speculate if any human space settlement must repeat the same path of human expansion as it was the case on Earth. It is unclear if human technological expansion and exploration must always lead to deleterious and self-destructive effects. In this paper, I do not discuss ethical and moral concerns which are traditionally considered when discussing the human place in space. They include such topics as the human right to explore space (it means both right to intervene in any extraterrestrial object, and human duty and rationale for space expansionism, mostly in the context of the idea of space refuge and possible catastrophic scenarios on Earth), or the value of human life and space objects.

#### Chance of asteroids very small.

Robert **Walker 16**. Software Developer of Tune Smithy, Wolfson College, Oxford. 12-14-2016. "Why Resilient Humans Would Survive Giant Asteroid Impact." Science 2.0. https://www.science20.com/robert\_inventor/we\_wont\_go\_extinct\_after\_a\_major\_asteroid\_impact\_even\_96\_of\_species\_extinct\_0\_chance\_of\_humans\_extinct-187383

This is something you hear said so often - that we risk being hit by an asteroid that could make humans extinct. But do we really? This is the article I’m commenting on, a recently breaking news story: Earth woefully unprepared for surprise comet or asteroid, Nasa scientist warns. Some are already worrying that it means that we are all due to die in the near future from an asteroid impact. Well, no, it doesn't mean that. So, what is the truth behind it? The source of all this is a comment by Dr Joseph Nuth who warns: “But on the other hand they are the extinction-level events, things like dinosaur killers, they’re 50 to 60 million years apart, essentially. You could say, of course, we’re due, but it’s a random course at that point.” Photograph of comet Siding Spring by Hubble - right hand image is more processed. This comet did a close flyby of Mars and at one point was predicted to have a tiny chance of hitting Mars. In the end it missed Mars by more than a quarter of the distance from Earth to the Moon If you read the rest of the article, it’s a worthy goal, to prepare us for asteroid impacts of all sizes from the small Chelyabinsk one up to really large 10 km ones. There are a number of things potentially confusing about this statement however, if you read it as a non scientist. Although there is a risk of “mass extinction” if a large asteroid hit Earth, “mass extinction” there doesn’t mean “extinction of humans”, we are such a resilient species that we would certainly survive a giant asteroid impact. We are not “due” an extinction at all. Next giant impact is most likely to happen many millions of years into the future. As we'll see, there is almost zero chance of a giant impact in the next century. There is however much we can do to protect ourselves from smaller asteroids. As a result of extensive asteroid surveys over the last couple of decades: We can be pretty sure (as in perhaps 99.999999% sure) that there isn’t an extinction level asteroid headed our way in the next century. We know the orbits of all the Near Earth Asteroids that could do this and none will hit Earth over that timescale. That leaves comets, and the chance of that is something like 1 in 100 million per century, as a very rough guess (since 99% of the impacts are thought to be from asteroids). This risk has been pretty much retired due to the automated asteroid searches by the likes of Pan STARRS. But the chance of a smaller asteroid impact is still high enough to make it worth working on it, especially since this is the one natural hazard we can not only predict to the minute, decades in advance, with enough information but also prevent also, given a long enough timeline. We are already close to completing the survey of 1 km asteroids (90% done). With a bit more funding we could also find most of the asteroids down to 45 meters in diameter. As a result of new developments in the science of asteroid detection, this could be done for a cost of only $50 million to protect the entire Earth. We would then be able to deflect asteroids decades before they are due to hit, which is a far easier task than a last minute deflection. First when he said "You could say, of course, we’re due, but it’s a random course at that point.”" - that is a scientist speaking as a scientist. But of course people sharing this on social media, retweeting, writing new stories about it, pick up the “we are due” and omit the scientific qualification “but it’s a random course at that point”. To say that we are “due” a mass extinction is a bit like saying that after you throw nine heads, you are due to throw a tail. Not true. The chance that the next coin toss is a tail is always going to be 50/50 for a fair coin no matter how many heads you throw. It's the same with extinctions. So long as it is a random process, then an extinction that happens every 60 million years could happen tomorrow or it could be 60 million years or 120 million years before it happens. On average we would still expect to wait 60 million years for the next such mass extinction even if the last one happened hundreds of millions of years ago. It’s just as for the coin toss. Same for an extinction event of a size that happens every 100 million years. If you look at the diagram the big five are irregularly spaced. The last one happened 66 million years ago. But they are irregularly spaced so we can't conclude either that we need to wait 44 million years for the next big extinction either. Some scientists have tried to discern a periodicity in the extinctions of perhaps 26 to 30 million years. If they are right then we are due the next extinction perhaps 15 million years or so from now. But that is very controversial and if true, it wouldn’t cover all mass extinctions. At any rate that's so far into the future it makes no difference to us now, if they are right or wrong. We could get a mass extinction in the next few millions of years. But it is nearly impossibly unlikely in the next century.

#### Asteroid mining significantly reduces emissions when mining scarce resources

Emerging Technology 18 [(Emerging Technology, A team from the MIT Technology Review magazine, owned by the Massachusetts Institute of Technology. Emerging Technology from the arXiv covers the latest ideas and technologies that appear on the Physics arXiv preprint server.) “Asteroid mining might actually be better for the environment,” MIT Technology Review, 10-19-2018]SN

For a certain kind of investor, asteroid mining is a path to untold riches. Astronomers have long known that asteroids are rich in otherwise scarce resources such as platinum and water. So an obvious idea is to mine this stuff and return it to Earth—or, in the case of water, to a moon base or Earth-orbiting space station. There is no shortage of interest in these ventures. In the last decade, investors have funded half a dozen companies that have set their sights on various nearby rocks. To many observers, it’s only a matter of time before such a mission gets the green light. But profit margins are only part of the picture. A potentially more significant aspect of these missions is the impact they will have on Earth’s environment. But nobody has assessed this environmental impact in detail. Today, that changes thanks to the work of Andreas Hein and colleagues at the University of Paris-Saclay in France. These guys have calculated the greenhouse-gas emissions from asteroid-mining operations and compared them with the emissions from similar Earth-based activities. Their results provide some eyebrow-raising insights into the benefits that asteroid mining might provide. The calculations are relatively straightforward. Rocket launches release significant amounts of greenhouse gases into the atmosphere. The fuel on board the first stage of a rocket burns in Earth’s atmosphere to form carbon dioxide. For kerosene-burning rockets, one kilogram of fuel creates three kilograms of CO2. (The second and third stages operate outside the Earth’s atmosphere and so can be ignored.) Reentries are just as damaging. That’s because a significant mass of a re-entering vehicle ablates in the upper atmosphere, producing NOx such as nitrous oxide (N2O), a greenhouse gas that is about 300 times more potent than CO2. By one estimate, the space shuttle released about 20% of its mass in the form of N2O every time it returned to Earth. Hein and co use these numbers to calculate that a kilogram of platinum mined from an asteroid would release some 150 kilograms of CO2 into Earth’s atmosphere. However, economies of scale from large asteroid-mining operations could lower this to about 60 kilograms of CO2 per kilogram of platinum. That needs to be compared with the emission from Earth-based mining. Here, platinum mining generates significant greenhouse gases, mostly from the energy it takes to remove this stuff from the ground. Indeed, the numbers are huge. The mining industry estimates that producing one kilogram of platinum on Earth releases around 40,000 kilograms of carbon dioxide. “The global warming effect of Earth-based mining is several orders of magnitude larger,” say Hein and co. The figures for water are also encouraging. In this case, the authors calculate the greenhouse-gas emissions from an asteroid-mining operation that returns water to anywhere within the moon’s orbit, a so-called cis-lunar orbit. They compare this to the emissions from sending the same volume of water from Earth into orbit. The big difference is that a water-carrying vehicle from Earth can haul only a small percentage of its mass as water. But an asteroid-mining spacecraft can transport a significant multiple of its mass as water to cis-lunar orbit. “Substantial savings in greenhouse gas emissions can be achieved,” say Hein and co.

#### Expansive application of the public trust doctrine costs judicial capital – sparks a populist rebellion against the court and its rulings

Lazarus 15 (Richard, Prof of Law @ Harvard, "JUDICIAL MISSTEPS, LEGISLATIVE DYSFUNCTION, AND THE PUBLIC TRUST DOCTRINE: CAN TWO WRONGS MAKE

IT RIGHT?," http://www.law.harvard.edu/faculty/rlazarus/docs/articles/LazarusRJJudicialMisstepsLegislativeDysfunctionAndThePTDFinalArticleEnvtLawDec2015.pdf)

The thrust of my 1986 article’s thesis was to question the continuing value of the public trust doctrine as a necessary and appropriate basis for advancing environmental protection goals.5 I saw the principal value of the public trust doctrine as twofold. The first was to provide a public property basis for resisting the exercise of private property rights in natural resources deemed contrary to the public interest.6 The second was to provide citizens with a right to sue to prevent the government from acting contrary to public trust interests in natural resource conservation and preservation.7 I argued that the public trust doctrine was becoming at best unnecessary and at worst counterproductive. Unnecessary because trends in legal evolution were, wholly apart from the public trust doctrine, otherwise weaving a new fabric for natural resources law—reflected in new federal and state statutes, regulations, and common law doctrine—that made resorting to the expansive notions of the public trust doctrine increasingly of less value.8 And potentially counterproductive because the public trust doctrine rested on the perpetuation of absolutist notions of property rights that I worried were inconsistent with those same trends.9 Finally, I argued that reliance on everexpansive public trust doctrine theories was misguided because it rested on assumptions of judicial expertise and the judiciary’s championing of environmental protection concerns that I worried could not be legitimately or safely assumed over the longer term.10 I relatedly worried that reliance on the public trust doctrine risked unleashing a populist rebellion against environmental protection laws by putting environmentalists on the weaker side of the debate on how laws should be made and the role of the courts in lawmaking in a non-constitutional context.11

#### No risk of a turn – PTD on climate change sparks MASSIVE judicial infighting and threatens the court’s institutional capital

Lazarus 15 (Richard, Prof of Law @ Harvard, "JUDICIAL MISSTEPS, LEGISLATIVE DYSFUNCTION, AND THE PUBLIC TRUST DOCTRINE: CAN TWO WRONGS MAKE

IT RIGHT?," http://www.law.harvard.edu/faculty/rlazarus/docs/articles/LazarusRJJudicialMisstepsLegislativeDysfunctionAndThePTDFinalArticleEnvtLawDec2015.pdf)

But imagine what would be required for climate change in light of its extraordinary temporal and spatial scope of cause and effect, and the corresponding complexity of the technological, economic, and social judgments that must be made in determining how to address the climate issue. The courts would be asked to embrace a judicial role that assigns them the primary responsibility of deciding the appropriate levels of greenhouse gas emissions in the United States. They would be asked to set legal rules governing how those emissions should then be allocated and when different levels would need to be achieved. The courts would have to develop the equivalent of the President’s proposed Clean Power Plan. As evidenced by the plan itself, consider the sweep of activities that would be affected over both time and space. Consider, too, the fundamental social and economic policy judgments that courts would have to make. The courts do not remotely possess the necessary competence or lawmaking legitimacy to answer those kinds of questions. And they will decline to do so, especially in the absence of any kind of clear constitutional command. Conservative judges would not favor it. And one would be hard pressed to find many liberal judges who would, no matter how much they agreed climate change was an enormous problem.101 And, even if one finds an isolated judge or two so exceedingly frustrated by the lack of governmental action to address climate change, the half-life of their ruling will likely be limited upon further view. The bottom line is that this is just not how we make laws of this nature under our constitutional framework.

#### 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.

**Probability – 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.

**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

**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.

#### Public sector mining thumps

NASA 19 [“NASA Invests in Tech Concepts Aimed at Exploring Lunar Craters, Mining Asteroids,” NASA, June 11, 2019, <https://www.nasa.gov/press-release/nasa-invests-in-tech-concepts-aimed-at-exploring-lunar-craters-mining-asteroids>] TDI

NASA Invests in Tech Concepts Aimed at Exploring Lunar Craters, Mining Asteroids

Robotically surveying lunar craters in record time and mining resources in space could help NASA establish a sustained human presence at the Moon – part of the agency’s broader [Moon to Mars exploration](https://www.nasa.gov/specials/moon2mars/) approach. Two mission concepts to explore these capabilities have been selected as the first-ever Phase III studies within the [NASA Innovative Advanced Concepts](https://www.nasa.gov/niac) (NIAC) program.

“We are pursuing new technologies across our development portfolio that could help make deep space exploration more Earth-independent by utilizing resources on the Moon and beyond,” said Jim Reuter, associate administrator of NASA’s Space Technology Mission Directorate. “These NIAC Phase III selections are a component of that forward-looking research and we hope new insights will help us achieve more firsts in space.”

The Phase III proposals outline an aerospace architecture, including a mission concept, that is innovative and could change what’s possible in space. Each selection will receive as much as $2 million. Over the course of two years, researchers will refine the concept design and explore aspects of implementing the new technology. The inaugural Phase III selections are:

Robotic Technologies Enabling the Exploration of Lunar Pits

William Whittaker, Carnegie Mellon University, Pittsburgh

This mission concept, called Skylight, proposes technologies to rapidly survey and model lunar craters. This mission would use high-resolution images to create 3D model of craters. The data would be used to determine whether a crater can be explored by human or robotic missions. The information could also be used to characterize ice on the Moon, a crucial capability for the sustained surface operations of NASA’s Artemis program. On Earth, the technology could be used to autonomously monitor mines and quarries.

[Mini Bee Prototype to Demonstrate the Apis Mission Architecture and Optical Mining Technology](https://www.nasa.gov/directorates/spacetech/niac/2019_Phase_I_Phase_II/Mini_Bee_Prototype)

Joel Sercel, TransAstra Corporation, Lake View Terrace, California

This flight demonstration mission concept proposes a method of asteroid resource harvesting called optical mining. Optical mining is an approach for excavating an asteroid and extracting water and other volatiles into an inflatable bag. Called Mini Bee, the mission concept aims to prove optical mining, in conjunction with other innovative spacecraft systems, can be used to obtain propellant in space. The proposed architecture includes resource prospecting, extraction and delivery.

#### The plan’s encroachment on private property rights collapses investor and entrepreneurial certainty

Huffman, 2015 (James L., Dean Emeritus of Lewis & Clark Law School and a Visiting Fellow at the Hoover Institution, with degrees from Montana State University (BS), The Fletcher School of Tufts University (MA) and the University of Chicago (JD), “WHY LIBERATING THE PUBLIC TRUST DOCTRINE IS BAD FOR THE PUBLIC”, 5/14/2015, https://law.lclark.edu/live/files/19611-45-2huffman)

For public trust liberationists, however, there are at least a couple of problems with relying on legislatures and other governmental entities with proper authority. For one, notwithstanding what Professor Wood has called “mind-blowing urgency,”221 “[t]he international treaty process will probably fail, the legislature will not act, and the president will do too little too late.”222 But even if legislatures can be persuaded to act, there is another problem. Effectively expanding public rights has the consequence of limiting private rights. Private property owners have a tendency to object when they perceive that their vested rights have been infringed. Sometimes they sue, claiming that their property has been taken without just compensation. That is what happened in the Just v. Marinette County case. But the Wisconsin court negated the takings claim by asserting that the public right served by the wetlands conservation legislation was antecedent to the property rights of the plaintiff.223 As explained previously, that is the magic of the public trust doctrine. It evades all takings claims. Avoiding takings claims and bypassing recalcitrant legislatures seems to suit the public trust liberationists just fine, but it is difficult to square with a commitment to the rule of law. It is also difficult to understand how such judicial lawmaking serves the public good or the individual citizens who share in common not only the rights protected by the public trust doctrine but also private property rights and other individual liberties. What do judges know about the public good? How is the judicial process suited to hearing and evaluating the multitude of competing and conflicting claims on the public good? In the American system courts hear actual cases and controversies in which the opposing parties have stakes in the outcome.224 How is a court supposed to decipher the public good from arguments by self-interested public and private litigants about the facts of a particular case and the laws applicable to that case? Even assuming judges have special wisdom on natural resource-related public policy matters, how is the public good served by an ever-expanding doctrine of public rights that are antecedent to private property rights? It seems easy for public trust liberationists to dismiss private property as antithetical to the public good, but nothing could be further from the realities of public welfare. Absent secure property and contract rights, economic prosperity is illusive at best. Without economic prosperity, governments cannot garner the resources necessary to provide for the public good, whether in the form of infrastructure, education, or environmental protection. Under the traditional public trust doctrine, affected private property owners know with a reasonable level of certainty what their rights are. If they own riparian land on navigable waters they know that they have wharfing-out rights, for example, but not the right to obstruct navigation while exercising those rights. If they own submerged lands under navigable waters, they know that they have a right to occupy those lands so long as they do not interfere with navigation and fishing. If they own riparian or submerged lands on non-navigable waters they know they have the same rights they and others have on uplands. In other words, their lands are unaffected by the public trust doctrine. Whether or not lands are affected by the public trust, property owners know that they cannot use their land in ways that create a nuisance for their neighbors. These are what Justice Scalia labeled background principles.225 They are not crystal clear, nor could they be, but at some point they become so variable and uncertain as to lose their effectiveness as sources of security for investors and entrepreneurs. A strength of the traditional common law method was in adapting the law to the changing needs and circumstances faced by investors and entrepreneurs while not unreasonably upsetting expectations. If the public trust doctrine is liberated in the manner suggested by the theories described in this Article, or by many others to be found in the vast sea of public trust literature, private property rights will become so contingent as to be all but useless as assurances for those who might produce the wealth necessary for the public good. There is a powerful public interest in a secure and reliable system of property rights. By making private property rights increasingly contingent, a liberated public trust doctrine will not serve the public good.

#### **That wrecks the foundation of judicial legitimacy, democracy, SOP, and rule of law – that outweighs and turns case**

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VIII. CONCLUSION Modern progressives, like their early twentieth century predecessors, tend to be skeptical of democratic policymaking. They prefer to rely on experts, scientific management and expeditious executive action to implement policies they know to be right and good. Democracy, the separation of powers, constitutional rights, and the rule of law all get in the way. It was early frustration with these traditional American principles that led Professor Sax to call for liberating the public trust doctrine from its historical shackles. He recognized that if courts could be persuaded to expand and extend the doctrine, environmentalists could revolutionize American property law while claiming the mantle of the rule of law. Courts would rule for environmentalist claims not because it was the right thing to do but because the law required it. That barely a handful of courts have even acknowledged Sax’s invitation to liberate the public trust doctrine underscores that most judges, most of the time, do their best to interpret and apply the law as those affected by the law would reasonably expect them to. Most judges understand that people rely on those expectations in their interactions with others and in the risks they assume and to which they expose others. If it were otherwise, people would soon lose confidence in the courts as objective arbiters of disputes. This does not mean that the law is stuck in the past. The common law has always evolved. But it has evolved in a way that respects rather than undermines expectations. One of the great strengths of the common law method is in “serving the rule of law by adapting legal rules to the demonstrated needs and wishes of those who rely on law to bring at least a degree of certainty to their day-to-day lives.”226 Perhaps the best indication of widespread commitment to the rule of law is that judges seduced into lawmaking of the kind urged by public trust liberationists, like the liberationists themselves, invariably appeal to precedent in seeking to justify their rulings. This does not mean that the lawmaking judges shy away from explaining the policy benefits of their decisions, but one would be hard pressed to find a case in which a court acknowledges that its new rule has no basis in preexisting law. Rather, lawmaking judges follow the path advocated by Judge Richard Posner in his commentary on the Supreme Court’s decision in Bush v. Gore.227 Posner explains that what he calls pragmatic judges should cover their lawmaking tracks by providing “legal-type judgment” as justification.228 Anyone who believes in the rule of law as a necessary principle of government in every free society should be troubled by this ends-driven, whatever-it-takes approach to judging in particular, and government in general. Even accepting, for the sake of argument, that we face a global environmental crisis as Professor Wood and many others assert,229 experience demonstrates that compromising the rule of law will harm rather than help efforts to meet any serious challenge. Saving a failing planet will require innovative thinking and creativity of the highest sort. History demonstrates that individual liberty and the rule of law are essential to such innovation and problem solving. Absent the rule of law, many a nation has failed to solve much lesser challenges.230 Like the public trust liberationists, those seeking exemptions from the rule of law always plead a higher good as their justification. Everyone claims to occupy the moral high ground. But constitutional government under the rule of law has long since proven to be the best means for determining where the moral high ground and the public good lie, while leaving ample space and flexibility for their pursuit.