# NC

## US DA

#### Chinese investments are catching up and the US needs private companies to maintain space dominance – Chinese space dominance risks extinction. Autry and Kwast 19:

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The current U.S. space defense strategy is inadequate and on a path to failure. President Donald Trump’s vision for a Space Force is big enough. As he said on [June 18](https://www.whitehouse.gov/briefings-statements/remarks-president-trump-meeting-national-space-council-signing-space-policy-directive-3/), “It is not enough to merely have an American presence in space. We must have American dominance in space.” But the Air Force is not matching this vision. Instead, the leadership is currently focused on incremental improvements to existing equipment and organizational structures. Dominating the vast and dynamic environment of space will require revolutionary capabilities and resources far deeper than traditional Department of Defense thinking can fund, manage, or even conceive of. Success depends on a much more active partnership with the commercial space industry— and its disruptive capabilities. U.S. military space planners are preparing to repeat a conflict they imagined back in the 1980s, which never actually occurred, against a vanished Soviet empire. Meanwhile, China is executing a winning strategy in the world of today. It is burning hard toward domination of the future space markets that will define the next century. They are planning infrastructure in space that will control 21st-century telecommunications, energy, transportation, and manufacturing. In doing so, they will acquire trillion-dollar revenues as well as the deep capabilities that come from continuous operational experience in space. This will deliver space dominance and global hegemony to China’s authoritarian rulers. Despite the fact that many in the policy and intelligence communities understand exactly what China is doing and have been trying to alert leadership, Air Force leadership has convinced the White House to fund only a slightly better satellite command with the same leadership, while sticking a new label onto their outmoded thinking. A U.S. Space Force or Corps with a satellite command will never fulfill Trump’s call to dominate space. Air Force leadership is demonstrating the same hubris that Gen. George Custer used in convincing Congress, over President Ulysses S. Grant’s better experience intuition, that he could overtake the Black Hills with repeating rifles and artillery. That strategy of technological overconfidence inflamed conflict rather than subduing it, and the 7th Cavalry were wiped out at the Battle of the Little Bighorn. The West was actually won by the settlers, ranchers, miners, and railroad barons who were able to convert the wealth of the territory itself into the means of holding it. They laid the groundwork that made the 20th century the American Century and delivered freedom to millions of people in Europe and Asia. Of course, they also trampled the indigenous people of the American West in their wake—but empty space comes with no such bloody cost. The very emptiness and wealth of this new, if not quite final, frontier, however, means that competition for resources and strategic locations in cislunar space (between the Earth and moon) will be intense over the next two decades. The outcome of this competition will determine the fate of humanity in the next century. China’s impending dominance will neutralize U.S. geopolitical power by allowing Beijing to control global information flows from the high ground of space. Imagine a school in Bolivia or a farmer in Kenya choosing between paying for a U.S. satellite internet or image provider or receiving those services for free as a “gift of the Chinese people.” It will be of little concern to global consumers that the news they receive is slanted or that searches for “free speech” link to articles about corruption in Western democracies. Nor will they care if concentration camps in Tibet and the Uighur areas of western China are obscured, or if U.S. military action is presented as tyranny and Chinese expansion is described as peacekeeping or liberation. China’s aggressive investment in space solar power will allow it to provide cheap, clean power to the world, displacing U.S. energy firms while placing a second yoke around the developing world. Significantly, such orbital power stations have dual use potential and, if properly designed, could serve as powerful offensive weapons platforms. China’s first step in this process is to conquer the growing small space launch market. Beijing is providing nominally commercial firms with government-manufactured, mobile intercontinental ballistic missiles they can use to dump launch services on the market below cost. These start-ups are already [undercutting](https://foreignpolicy.com/2019/04/02/beijing-is-taking-the-final-frontier-space-china/) U.S. pricing by 80 percent. Based on its previous success in using dumping to take out U.S. developed industries such as solar power modules and drones, China will quickly move upstream to attack the leading U.S. launch providers and secure a global commercial monopoly. Owning the launch market will give them an unsurmountable advantage against U.S. competitors in satellite internet, imaging, and power. The United States can still build a strategy to win. At this moment, it holds the competitive advantage in every critical space technology and has the finest set of commercial space firms in the world. It has pockets of innovative military thinkers within groups like the [Defense Innovation Unit](https://www.diu.mil/news-events), under Mike Griffin, the Pentagon’s top research and development official. If the United States simply protects the intellectual property its creative minds unleash and defend its truly free markets from strategic mercantilist attack, it will not lose this new space race. The United States has done this before. It beat Germany to the nuclear bomb, it beat the Soviet Union to the nuclear triad, and it won the first space race. None of those victories was achieved by embracing the existing bureaucracy. Each of them depended on the president of the day following the only proven path to victory in a technological domain: establish a small team with a positively disruptive mindset and empower that team to investigate a wide range of new concepts, work with emerging technologies, and test innovative strategies. Today that means giving a dedicated Space Force the freedom to easily partner with commercial firms and leverage the private capital in building sustainable infrastructure that actually reduces the likelihood of conflict while securing a better economic future for the nation and the world.

#### Space regulation scares investors away and spills over to other space activities. Freeland 05:

Steven Freeland (BCom, LLB, LLM, University of New South Wales; Senior Lecturer in International Law, University of Western Sydney, Australia; and a member of the Paris-based International Institute of Space Law). “Up, Up and … Back: The Emergence of Space Tourism and Its Impact on the International Law of Outer Space.” Chicago Journal of International Law: Vol. 6: No. 1, Article 4. 2005. JDN. <https://chicagounbound.uchicago.edu/cgi/viewcontent.cgi?article=1269&context=cjil>

V. THE NEED FOR CELESTIAL PROPERTY RIGHTS? ¶ The fundamental principle of "non-appropriation" upon which the international law of outer space is based stems from the desire of the international community to ensure that outer space remains an area beyond the jurisdiction of any state(s). Similar ideals emerge from UNCLOS (in relation to the High Seas) as well as the Antarctic Treaty, 42 although in the case of the latter treaty, it was finalised after a number of claims of sovereignty had already been made by various States and therefore was structured to "postpone" rather than prejudice or renounce those previously asserted claims.43 In the case of outer space, its exploitation and use is expressed in Article I of the Outer Space Treaty to be "the province of all mankind," a term whose meaning is not entirely clear but has been interpreted by most commentators as evincing the desire to ensure that any State is free to engage in space activities without reference to any sovereign claims of other States. This freedom is reinforced by other parts of the same Article and is repeated in the Moon Agreement (which also applies to "other celestial bodies within the solar system, other than the earth")." Even though both the scope for space activities and the number of private participants have expanded significantly since these treaties were finalised, it has still been suggested that the nonappropriation principle constitutes "an absolute barrier in the realization of every kind of space activity., 4 ' The amount of capital expenditure required to research, scope, trial, and implement a new space activity is significant. To bring this activity to the point where it can represent a viable "stand alone" commercial venture takes many years and almost limitless funding. From the perspective of a private enterprise contemplating such an activity, it would quite obviously be an important element in its decision to devote resources to this activity that it is able to secure the highest degree of legal rights in order to protect its investment. Security of patent and other intellectual property rights, for example, are vital prerequisites for private enterprise research activity on the ISS, and these rights are specifically addressed by the ISS Agreement between the partners to the project and were applicable to the experiments undertaken by Mark Shuttleworth when he was onboard the ISS.46

## Russian Appeasment DA

#### Putin hates outer space privatization.

Tass {Russian news agency}, 20 - ("Any attempts to ‘privatize’ outer space unacceptable — Kremlin," TASS, 4-1-2020, https://tass.com/science/1141217)//marlborough-wr/

MOSCOW, April 7. /TASS/. Any attempts at ‘privatizing" outer space are unacceptable, Russian president’s press secretary, Dmitry Peskov said on Tuesday, commenting on US President Donald Trump’s [executive order](https://www.whitehouse.gov/presidential-actions/executive-order-encouraging-international-support-recovery-use-space-resources/) supporting commercial activities on the Moon.

#### We stopped appeasing Russia – they’ll pocket concessions from coop and increase aggression – tensions aren’t the result of understandings but hardened differences

Haddad and Polakova 18 [Benjamin Haddad Director, Future Europe Initiative - Atlantic Council. Alina Polyakova Director, Project on Global Democracy and Emerging Technology Fellow - Foreign Policy, Center on the United States and Europe. Don’t rehabilitate Obama on Russia. March 5, 2018. https://www.brookings.edu/blog/order-from-chaos/2018/03/05/dont-rehabilitate-obama-on-russia/]

Obama’s much-ballyhooed “Reset” with Russia, launched in 2009, was in keeping with optimistic attempts by every post-Cold War American administration to improve relations with Moscow out of the gate. Seizing on the supposed change of leadership in Russia, with Dmitry Medvedev temporarily taking over the presidency from Vladimir Putin, Obama’s team quickly turned a blind eye to Russia’s 2008 war with Georgia, which in retrospect was Putin’s opening move in destabilizing the European order. Like George W. Bush before him, Obama vastly overestimated the extent to which a personal relationship with a Russian leader could affect the bilateral relationship. U.S.-Russia disagreements were not the result of misunderstandings, but rather the product of long-festering grievances. Russia saw itself as a great power that deserved equal standing with the U.S. What Obama saw as gestures of good will—such as the 2009 decision to scrap missile defense plans for Poland and the Czech Republic—Russia interpreted as a U.S. retreat from the European continent. Moscow pocketed the concessions and increasingly inserted itself in European affairs. The Kremlin was both exploiting an easy opportunity and reasserting what it thought was its historic prerogative.

Though Russia’s invasion of Ukraine in 2014 was the final nail in the coffin of the Reset, President Obama remained reluctant to view Moscow as anything more than a local spoiler, and thought the whole mess was best handled by Europeans. France and Germany spearheaded the Minsk ceasefire process in 2014-2015, with U.S. support but without Washington at the table. The Obama administration did coordinate a far-ranging sanctions policy with the European Union—an important diplomatic achievement, to be sure. But to date, the sanctions have only had a middling effect on the Russian economy as a whole (oil and gas prices have hurt much more). And given that sanctions cut both ways—potential value is destroyed on both sides when economic activity is systematically prohibited—most of the sacrifice was (and continues to be) born by European economies, which have longstanding ties to Russia. In contrast, the costs of a robust sanctions policy have been comparatively minor in the United States; Obama spent little political capital to push them through at home. The Obama administration also sought to shore up NATO’s eastern flank through the European Reassurance Initiative (ERI), which stationed rotating troops in Poland and the Baltics while increasing the budget for U.S. support. Nevertheless, the president resisted calls from Congress, foreign policy experts, and his own cabinet to provide lethal weapons to Ukraine that would have raised the costs on Russia and helped Kyiv defend itself against Russian military incursion into the Donbas. As Obama told Jeffrey Goldberg, he viewed any deterrent moves by the United States as fundamentally not credible, because Russia’s interests clearly trumped our own; it was clear to him they would go to war much more readily that the United States ever would, and thus they had escalatory dominance. Doing more simply made no sense to Obama. This timid realpolitik was mixed up with a healthy dose of disdain. Obama dismissed Russia as a “regional power” that was acting out of weakness in Ukraine. “The fact that Russia felt it had to go in militarily and lay bare these violations of international law indicates less influence, not more,” Obama said at the G7 meeting in 2014. This line has not aged well. Obama’s attitudes on Russia reflected his administration’s broadly teleological, progressive outlook on history. Russia’s territorial conquest “belonged in the 19th century.” The advance of globalization, technological innovation, and trade rendered such aggression both self-defeating and anachronistic. The biggest mistake for America would be to overreact to such petty, parochial challenges. The 2015 National Security Strategy favored “strategic patience”. But was it patience… or passivity? As its actions in 2016 proved, Russia is very much a 21st century power that understands how to avail itself of the modern tools available to it, often much better than we do ourselves. The same intellectual tendencies that shaped Obama’s timid approach to Ukraine were reflected in his administration’s restrained response as evidence of Russian electoral interference began to emerge in the summer of 2016. Starting in June, intelligence agencies began reporting that Russian-linked groups hacked into DNC servers, gained access to emails from senior Clinton campaign operatives, and were working in coordination with WikiLeaks and a front site called DCLeaks to strategically release this information throughout the campaign cycle. By August, Obama had received a highly classified file from the CIA detailing Putin’s personal involvement in covert influence operations to discredit the Clinton campaign and disrupt the U.S. presidential elections in favor of her opponent, Donald Trump. That fall through to his departure from the White House, the president and his key advisers struggled to find an appropriate response to the crime of the century. But out of all the possible options, which included a cyber offensive on Russia and ratcheted up sanctions, the policy that was adopted in the final months of Obama’s term was, characteristically, cautious. Obama approved additional narrow sanctions against Russian targets, expelled 35 Russian diplomats, and shut down two Russian government compounds. It’s true that Obama faced a difficult political environment that constrained his ability to take tougher measures. Republican opponents would have surely decried any loud protests as a form of election meddling on Hillary Clinton’s behalf. Donald Trump was already flogging the narrative that the elections were rigged against him. And anyway, Clinton seemed destined to win; she would tend to the Russians in her own time, the thinking went. But just as with the decision to not provide weapons to Ukraine, the Obama administration also fretted about provoking Russia into taking even more drastic steps, such as hacking the voting systems or a cyber attack on critical infrastructure. In the end, the administration’s worries proved to be paralyzing. “I feel like we sort of choked,” one Obama administration official told the Washington Post. Much ink has been spilled over President Trump’s effusive praise for Putin and his brutal regime. “You think our country’s so innocent?” candidate Trump famously replied to an interviewer listing the many human rights abuses of Putin’s Russia, including the harassment and murder of journalists. Obama, on the other hand, never had any ideological or psychological sympathy for Putin or Putinism. By the end of his second term, the two men were barely on speaking terms, the iciness of their encounters in full public view. For most of Obama’s two terms, however, this personal animosity did not translate into tougher policies. Has the Trump administration been tougher on Russia than Obama, as the president claims? Trump’s own boasting feels like a stretch, especially given how he seems to have gone out of his way to both disparage NATO and praise Putin during the course of his first year in office. Still, many of his administration’s good policies have been obscured by the politics of the Mueller investigation and the incessant furor kicked up by the president’s tweets. As Tom Wright has noted, the Trump administration seems to pursue two policy tracks at the same time: the narrow nationalism of the president’s inflammatory rhetoric openly clashing with the seriousness of his administration’s official policy decisions.

These tensions are real, but all too often they become the story. Glossed over is the fact that President Trump has appointed a string of competent and widely respected figures to manage Russia policy—from National Security Council Senior Director Fiona Hill to Assistant Secretary of State for European affairs Wess Mitchell to the Special Envoy for Ukraine Kurt Volker. The Trump administration is, in fact, pursuing concrete policies pushing back on Russian aggression that the Obama administration had fervently opposed. The National Security Strategy of 2017, bringing a much-needed dose of realism to a conversation too often dominated by abstractions like the “liberal world order”, singles out both China and Russia as key geopolitical rivals. During Trump’s first year, the administration approved the provision of lethal weapons to Ukraine, shut down Russia’s consulate in San Francisco as well as two additional diplomatic annexes, and rather than rolling back sanctions, Trump signed into law additional sanctions on Russia, expanded LNG sales to a Europe dependent in Russian gas imports, and increased the Pentagon’s European Reassurance Initiative budget by 40 percent. (A president who berated U.S. investments for European defense has actually dramatically increased American military presence on Europe’s threatened borders.) While many of these policies may have been implemented despite rather than because of the president—on the expansion of sanctions in particular, Trump faced a veto-proof majority in Congress—credit should be given where credit is due.

The Trump administration’s sober policy decisions should not excuse the president’s praise for Vladimir Putin, nor his reckless undermining of America’s stated commitment to enforcing Article 5 during his first speech in front of NATO. But the fact remains that the U.S. is taking concrete steps to strengthen Europe against Russian aggression. And let’s not be coy about it: if the president’s strident complaining about unequal burden-sharing in NATO finally snaps European allies out of their complacency and helps spur military investment on the continent, this won’t be good news for Russia either. Indeed, he will have succeeded in moving the needle on an issue that has frustrated every one of his predecessors since 1989. Has Trump’s bluster, especially on Article 5, been cost-free? Hardly. Nevertheless, talking to diplomats around town suggests that after initial months of uneasiness, most Europeans have learned to deal with the Trump administration in a dispassionate and pragmatic manner that stands in stark relief with much of the hysteria that passes for commentary in the U.S.

Each administration should be judged on what it has achieved. At the end of the Obama’s two terms, Putin had elevated Russia to a credible revisionist power on the international stage. Russia annexed Crimea and occupied much of Eastern Ukraine; by successfully propping up the degenerate Assad regime, the Kremlin gained a veto on any possible political solution to Syria, and got a meaningful foothold in the broader region for the first time since Sadat threw Soviet advisors out; and its populist allies and fellow-travelers were on the rise in Europe, fueling both anti-Americanism and illiberalism; and most damning of all, it managed to meddle, almost unopposed, in U.S. politics—all on Obama’s watch.

There is plenty left to criticize in how the Trump administration has done things in its first year. The Trump administration’s apparent unwillingness to take steps to deter hostile foreign powers from meddling in American politics is inexcusably irresponsible. And in the Middle East, the Trump administration seems hell-bent on following Obama’s myopic policy of retreat and narrow preoccupation with fighting ISIS to the exclusion of all else. But despite the president’s campaign promises, his administration has been the first in the post-Cold War era to not try for a “Reset” with Moscow. If Vladimir Putin wanted to sow chaos and confusion in Washington, he has succeeded beyond his wildest dreams. If he wanted a pliant ally in America, he has abjectly failed.

#### Appeasing Russia shreds the NPT and causes nuke prolif – extinction

Umland 17 [Andreas Umland is a German political scientist, historian and Russian interpreter, specializing in contemporary Russian and Ukrainian history. He is a Member of the Institute for Central and East European Studies at the Catholic University, and a senior research fellow at the Institute for Euro-Atlantic Cooperation in Kyiv. The Price of Appeasing Russian Adventurism. January 16, 2017. https://carnegieeurope.eu/strategiceurope/67692]

A major foreign policy challenge for the incoming U.S. administration will be how to deal with Russia’s new international assertiveness and foreign military adventures. Some signs in recent weeks, especially regarding the ongoing confrontation between Russia and Ukraine, point to a friendlier U.S. approach toward Moscow. Such a shift would have very serious consequences for the rest of the world.

A new rapprochement between Washington and Moscow may go far beyond the attempt by the administration of outgoing U.S. President Barack Obama to reset Russian-U.S. relations after the Russian-Georgian War in 2008. Supposedly, a dovish American approach toward the Kremlin would put U.S. concerns before those of countries and peoples currently in conflict with Russia.

To be sure, a number of probable members of the new administration, like Rex Tillerson, Mike Pompeo, and James Mattis, have voiced hawkish views on Russian imperialism. Yet apparently, U.S. President-elect Donald Trump and some of those advising him specifically on Russia, like Michael Flynn, Paul Manafort, and Carter Page, hope that U.S. tolerance of Russian freedom of movement in the former Soviet space—in particular, in Ukraine—would make the Kremlin more cooperative in other fields, such as the fight against Islamist terrorism, and in other regions, such as Syria or the Arctic.

However, one wonders whether Trump and other so-called Putinversteher in the incoming administration fully understand the stakes. The risks do not only concern the fundamental national interests of such pro-American countries as Ukraine, Estonia, Georgia, or Poland. The U.S. administration’s tolerance of Russia’s violation of Ukrainian territorial integrity would have larger implications for the future of humanity.

In view of the security assurances that the United States gave Ukraine under the 1994 Budapest Memorandum, a move by Washington to appease Moscow would be another crack in the splintering international nuclear nonproliferation regime. Acquiescence to Russia’s territorial gains in Ukraine would further undermine the already-shattered 1968 Nuclear Non-Proliferation Treaty (NPT), one of the world’s most important multilateral agreements.

Under the Budapest Memorandum, three official nuclear-weapons states under the NPT—Russia, the UK, and the United States—assured the inviolability of Ukraine’s borders. In two simultaneous but separate declarations, the other two official nuclear-weapons states, China and France, also expressed their respect for Ukraine’s political sovereignty. This was the core of a shrewd deal between the five guarantor states of the NPT and Ukraine (as well as Belarus and Kazakhstan), which had inherited parts of the Soviet nuclear arsenal. In exchange for Kyiv’s readiness to give up its weapons of mass destruction and join the NPT, the world’s five major nuclear powers explicitly acknowledged their obligation to observe and protect Ukraine’s territorial integrity.

But since 2014, if not before, Moscow has manifestly violated the Budapest Memorandum. As the agreement forms an important annex to the NPT, its violation through continuing Russian occupation of Ukraine’s territory undermines the logic of the international mechanism to prevent the spread of atomic weapons. That not only harshly punishes a country that voluntarily agreed to give up its nuclear weapons in exchange for security assurances. It also demonstrates how an official nuclear-weapons state can use its nuclear deterrence potential to implement and secure territorial expansion with military means.

Worse, two other official nuclear powers, Beijing and Paris, have implicitly assisted Russia in its subversion of the nonproliferation regime. Despite having expressed its respect for Ukraine’s territorial integrity, China did not support a 2014 UN General Assembly resolution against Russia’s annexation of Crimea. And several prominent French center-right parliamentarians have visited Crimea since its annexation by Russia, even though the French government that in 1994 declared its respect for Ukraine’s sovereignty was also a center-right administration (albeit under Socialist president François Mitterrand).

U.S. appeasement of Russia regarding its annexation of Crimea and interference in Ukraine’s eastern Donbas region would compound the effects of these earlier aberrations. The United States would be disregarding its earlier statements about Ukraine’s accession to the NPT and voluntary nuclear disarmament. The UK would be the only guarantor state of the NPT left that behaves more or less in line with the logic of the world’s nonproliferation regime with regard to Ukraine.

## Asteroid Mining DA

#### The US is key to asteroid mining.

**Gilbert 21**, Albert <https://www.milkenreview.org/articles/mining-in-space-is-coming> 4/26/2022

That said, there’s no grass growing under potential pioneers’ feet. Potential economic, scientific and even security benefits underlie an emerging [geopolitical competition](https://nationalinterest.org/feature/geostrategic-importance-outer-space-resources-154746) to pursue space mining. The United States is rapidly emerging as a front-runner, in part due to its ambitious Artemis Program to lead a multinational consortium back to the Moon. But it is also a leader in creating a legal infrastructure for mineral exploitation. The United States has adopted the world’s first spaceresources law, recognizing the property rights of private companies and individuals to materials gathered in space.

#### The private sector is essential for asteroid mining – competition is key and government development is not effective, efficient, or cheap enough. Thiessen 21:

Marc Thiessen, 6-1, 21, Washington Post, Opinion: SpaceX’s success is one small step for man, one giant leap for capitalism, https://www.washingtonpost.com/opinions/2020/06/01/spacexs-success-is-one-small-step-man-one-giant-leap-capitalism/

It was one small step for man, one giant leap for capitalism. Only three countries have ever launched human beings into orbit. This past weekend, SpaceX became the first private company ever to do so, when it sent its Crew Dragon capsule into space aboard its Falcon 9 rocket and docked with the International Space Station. This was accomplished by a company Elon Musk started in 2002 in a California strip mall warehouse with just a dozen employees and a mariachi band. At a time when our nation is debating the merits of socialism, SpaceX has given us an **incredible testament to the power of American free enterprise.** While the left is advocating unprecedented government intervention in almost every sector of the U.S. economy, from health care to energy, **today Americans are celebrating the successful privatization of space travel.** If you want to see the difference between what government and private enterprise can do, consider: It took a private company to give us the first space vehicle with touch-screen controls instead of antiquated knobs and buttons. It took a private company to give us a capsule that can fly entirely autonomously from launch to landing — including docking — without any participation by its human crew. It also took a private company to invent a reusable rocket that can not only take off but land as well. When the Apollo 11 crew reached the moon on July 20, 1969, Neil Armstrong declared “the Eagle has landed.” On Saturday, SpaceX was able to declare that the Falcon had landed when its rocket settled down on a barge in the Atlantic Ocean — ready to be used again. That last development will save the taxpayers incredible amounts of money. The cost to NASA for launching a man into space on the space shuttle orbiter was $170 million per seat, compared with just $60 million to $67 million on the Dragon capsule. The cost for the space shuttle to send a kilogram of cargo into to space was $54,500; with the Falcon rocket, the cost is just $2,720 — a decrease of 95 percent. And while the space shuttle cost $27.4 billion to develop, the Crew Dragon was designed and built for just $1.7 billion — making it the lowest-cost spacecraft developed in six decades. SpaceX did it in six years — far faster than the time it took to develop the space shuttle. ***The private sector does it better, cheaper, faster and more efficiently than government***. Why? Competition. Today, SpaceX has to compete with a constellation of private companies — including legacy aerospace firms such as Orbital ATK and United Launch Alliance and innovative start-ups such as Blue Origin (which is designing a Mars lander and whose owner, Jeff Bezos, also owns The Post) and Virgin Orbit (which is developing rockets than can launch satellites into space from the underside of a 747, avoiding the kinds of weather that delayed the Dragon launch). In the race to put the first privately launched man into orbit, upstart SpaceX had to beat aerospace behemoth Boeing and its Starliner capsule to the punch. It did so — for more than $1 billion less than its competitor. **That spirit of competition and innovation will revolutionize space travel in the years ahead.** Indeed, Musk has his sights set far beyond Earth orbit. Already, SpaceX is working on a much larger version of the Falcon 9 reusable rocket called Super Heavy that will carry a deep-space capsule named Starship capable of carrying up to 100 people to the moon and eventually to Mars. Musk’s goal — the reason he founded SpaceX — is to colonize Mars and make humanity a multiplanetary species. He has set a goal of founding a million-person city on Mars by 2050 complete with iron foundries and pizza joints. Can it be done? Who knows. But this much is certain: **Private-sector innovation is opening the door to a new era of space exploration**. Wouldn’t it be ironic if, just as capitalism is allowing us to explore the farthest reaches of our solar system, Americans decided to embrace socialism back here on Earth?

#### Taking away property rights scares investors away and spills over to other space activities. Freeland 05

Steven Freeland (BCom, LLB, LLM, University of New South Wales; Senior Lecturer in International Law, University of Western Sydney, Australia; and a member of the Paris-based International Institute of Space Law). “Up, Up and … Back: The Emergence of Space Tourism and Its Impact on the International Law of Outer Space.” Chicago Journal of International Law: Vol. 6: No. 1, Article 4. 2005. JDN. <https://chicagounbound.uchicago.edu/cgi/viewcontent.cgi?article=1269&context=cjil>

V. THE NEED FOR CELESTIAL PROPERTY RIGHTS? ¶ The fundamental principle of "non-appropriation" upon which the international law of outer space is based stems from the desire of the international community to ensure that outer space remains an area beyond the jurisdiction of any state(s). Similar ideals emerge from UNCLOS (in relation to the High Seas) as well as the Antarctic Treaty, 42 although in the case of the latter treaty, it was finalised after a number of claims of sovereignty had already been made by various States and therefore was structured to "postpone" rather than prejudice or renounce those previously asserted claims.43 In the case of outer space, its exploitation and use is expressed in Article I of the Outer Space Treaty to be "the province of all mankind," a term whose meaning is not entirely clear but has been interpreted by most commentators as evincing the desire to ensure that any State is free to engage in space activities without reference to any sovereign claims of other States. This freedom is reinforced by other parts of the same Article and is repeated in the Moon Agreement (which also applies to "other celestial bodies within the solar system, other than the earth")." Even though both the scope for space activities and the number of private participants have expanded significantly since these treaties were finalised, it has still been suggested that the nonappropriation principle constitutes "an absolute barrier in the realization of every kind of space activity., 4 ' The amount of capital expenditure required to research, scope, trial, and implement a new space activity is significant. To bring this activity to the point where it can represent a viable "stand alone" commercial venture takes many years and almost limitless funding. From the perspective of a private enterprise contemplating such an activity, it would quite obviously be an important element in its decision to devote resources to this activity that it is able to secure the highest degree of legal rights in order to protect its investment. Security of patent and other intellectual property rights, for example, are vital prerequisites for private enterprise research activity on the ISS, and these rights are specifically addressed by the ISS Agreement between the partners to the project and were applicable to the experiments undertaken by Mark Shuttleworth when he was onboard the ISS.46

#### Asteroid mining can happen with private sector innovation and is key to solve a laundry list of impacts--climate change, economic decline and asteroid collisions. Taylor 19

Chris Taylor [journalist], 19 - ("How asteroid mining will save the Earth — and mint trillionaires," Mashable, 2019, accessed 12-13-2021, https://mashable.com/feature/asteroid-mining-space-economy)//ML

How much, exactly? We’re only just beginning to guess. [Asterank](http://www.asterank.com/), a service that keeps track of some 6,000 asteroids in NASA’s database, prices out the estimated mineral content in each one in the current world market. More than 500 are listed as “>$100 trillion.” The estimated profit on just the top 10 asteroids judged “most cost effective” — that is, the easiest to reach and to mine, subtracting rocket fuel and other operating costs, is around $1.5 trillion.¶ Is it ours for the taking? Well, here’s the thing — we’re taking it already, and have been doing so since we started mining metals thousands of years ago. Asteroid strikes are the only reason rare metals exist in the Earth’s crust; the native ones were all sucked into our planet’s merciless iron core millions of years ago. Why not go to the source?¶ As a side project, space mining can grab water from the rocks and comets — water which, with a little processing makes rocket fuel. Which in turn makes even more currently unimaginable space operations possible, including ones that could give the planet all the energy it needs to avert climate catastrophe. Cislunar space — the bit around us and the moon, the local neighborhood, basically — is about to get very interesting.¶ It’s hard, even for the most asteroid-minded visionaries, to truly believe the full scope of this future space economy right now. Just as hard as it would have been in 1945, when an engineer named Vannevar Bush first proposed [a vast library of shared knowledge that people the world over would access via personal computers](https://en.wikipedia.org/wiki/Memex), to see that mushroom into a global network of streaming movies and grandmas posting photos and trolls and spies who move the needle on presidential elections. ¶ No technology’s pioneer can predict its second-order effects.¶ The space vision thing is particularly difficult in 2019. Not only do we have plenty of urgent problems with democracy and justice to keep us occupied, but the only two companies on the planet to have gone public with asteroid-mining business plans, startups that seemed to be going strong and had launched satellites already, were just bought by larger companies that are, shall we say, less comfortable executing on long-term visions.¶ Planetary Resources was founded in 2012 in a blaze of publicity. Its funding came from, among others, Larry Page, Eric Schmidt, Ross Perot, and the country of Luxembourg. It had inked an orbital launch deal with Virgin Galactic. And it was sold last October to a blockchain software company. (To 21st century readers, this paragraph would look like I’m playing tech world mad libs.)¶ In January, the other company, Deep Space Industries, also partly funded by Luxembourg (way to get in the space race, Luxembourg!), was sold to Bradford Space, owned by a U.S. investment group called the American Industrial Acquisition Corporation. Maybe these new overlords plan on continuing their acquisitions' asteroid mining endeavors rather than stripping the companies for parts. Both companies have been notably silent on the subject. “The asteroid mining bubble has burst,” [declared The Space Review](http://www.thespacereview.com/article/3633/1), one of the few online publications to even pay attention.¶ That’s also to be expected. After all, anyone trying to build Google in 1945 would go bankrupt. Just as the internet needed a half-dozen major leaps forward in computing before it could even exist, space industry needs its launch infrastructure.¶ Currently, the world’s richest person and its most well-known entrepreneur, Jeff Bezos and Elon Musk, respectively, are working on the relatively cheap reusable rockets asteroid pioneers will need. (As I was writing this, Bezos announced in an email blast that one of his New Shepherd rockets had flown to space and back five times like it was nothing, delivering 38 payloads for various customers while remaining entirely intact.) ¶ Meanwhile, quietly, Earth’s scientists are laying the groundwork of research the space economy needs. Japan’s Hayabusa 2 spacecraft has been in orbit around asteroid Ryugu for the last year and a half, learning everything it can. (Ryugu, worth $30 billion according to Asterank, is the website's #1 most cost-effective target.) The craft dropped [tiny hopping robot rovers](https://www.space.com/41941-hayabusa2-asteroid-rovers-hopping-tech.html) and a [small bomb](https://www.space.com/japan-hayabusa2-asteroid-bomb-video.html) on its target; pictures of the small crater that resulted were released afterwards.¶ Officially, the mission is to help us figure out how the solar system formed. Unofficially, it will help us understand whether all those useful metals clump together at the heart of an asteroid, as some theorize. If so, it’s game on for asteroid prospectors. If not, we can still get at the metals with other techniques, such as optical mining (which basically involves sticking an asteroid in a bag and drilling with sunlight; sounds nuts to us, but [NASA has proved it in the lab](https://www.nasa.gov/directorates/spacetech/niac/2017_Phase_I_Phase_II/Sustainable_Human_Exploration/)). It’ll just take more time.¶ Effectively, we’ve just made our first mark at the base of the first space mineshaft. And there’s more to come in 2020 when Hayabusa 2 returns to Earth bearing samples. If its buckets of sand contain a modicum of gold dust, tiny chunks of platinum or pebbles of compressed carbon — aka diamonds — then the Duchy of Luxembourg won’t be the only deep-pocketed investor to sit up and take notice.¶ The possibility of private missions to asteroids, with or without a human crew, is almost here. The next step in the process that takes us from here to where you are? Tell us an inspiring story about it, one that makes people believe, and start to imagine themselves mining in space. How would you explain the world-changing nature of the internet to 1945? How would you persuade them that there was gold to be mined in Vannevar Bush’s idea? You’d let the new economy and its benefits play out in the form of a novel.¶ As Hayabusa dropped a bomb on Ryugu, Daniel Suarez was making the exact same asteroid the target of his fiction. Suarez is a tech consultant and developer turned New York Times bestselling author. His novels thus far have been techno-thrillers: his debut, [Daemon](https://www.amazon.com/dp/B003QP4NPE/ref=dp-kindle-redirect?_encoding=UTF8&btkr=1), a novel of Silicon Valley’s worst nightmare, AI run rampant, made more than a million dollars.¶ So it was a telling shift in cultural mood that Suarez’s latest thriller is also a very in-depth description of — and thinly-disguised advocacy for — asteroid mining. In [Delta-v](https://www.amazon.com/Delta-v-Daniel-Suarez-ebook/dp/B07FLX8V84/ref=sr_1_1?crid=UMNUUSR3NCBX&keywords=delta-v&qid=1556930756&s=digital-text&sprefix=delta-v%2Cdigital-text%2C204&sr=1-1), published in April, a billionaire in the 2030s named Nathan Joyce recruits a team of adventurers who know nothing about space — a world-renowned cave-diver, a world-renowned mountaineer — for the first crewed asteroid mission.¶ Elon Musk fans might expect this to be Joyce’s tale, but he soon fades into the background. The asteroid-nauts are the true heroes of Delta-v. Not only are they offered a massive payday — $6 million each for four years’ work — they also have agency in key decisions in the distant enterprise. Suarez deliberately based them on present-day heroes. The mission is essential, Joyce declares, to save Earth from its major problems. First of all, the fictional billionaire wheels in a fictional Nobel economist to demonstrate the actual truth that the entire global economy is sitting on a [mountain of debt](https://www.washingtonpost.com/opinions/the-247-trillion-global-debt-bomb/2018/07/15/64c5bbaa-86c2-11e8-8f6c-46cb43e3f306_story.html?noredirect=on&utm_term=.5fb3ff1155d9). It has to keep growing or it will implode, so we might as well take the majority of the industrial growth off-world where it can’t do any more harm to the biosphere.¶ Secondly, there’s the climate change fix. Suarez sees asteroid mining as the only way we’re going to build [solar power satellites](https://en.wikipedia.org/wiki/Space-based_solar_power). Which, as you probably know, is a form of uninterrupted solar power collection that is theoretically more effective, inch for inch, than any solar panels on Earth at high noon, but operating 24/7. (In space, basically, it’s always double high noon). ¶ The power collected is beamed back to large receptors on Earth with large, low-power microwaves, which researchers think will be harmless enough to let humans and animals pass through the beam. A space solar power array like [the one China is said to be working on](https://www.forbes.com/sites/scottsnowden/2019/03/12/solar-power-stations-in-space-could-supply-the-world-with-limitless-energy/#2d3f78a54386) could reliably supply 2,000 gigawatts — or over 1,000 times more power than the largest solar farm currently in existence. ¶ “We're looking at a 20-year window to completely replace human civilization's power infrastructure,” Suarez told me, citing the report of the Intergovernmental Panel on Climate Change on the coming catastrophe. Solar satellite technology “has existed since the 1970s. What we were missing is millions of tons of construction materials in orbit. Asteroid mining can place it there.”¶ The Earth-centric early 21st century can’t really wrap its brain around this, but the idea is not to bring all that building material and precious metals down into our gravity well. Far better to create a whole new commodities exchange in space. You mine the useful stuff of asteroids both near to Earth and far, thousands of them taking less energy to reach than the moon. That’s something else we’re still grasping, how relatively easy it is to ship stuff in zero-G environments. ¶ Robot craft can move 10-meter boulders like they’re nothing. You bring it all back to sell to companies that will refine and synthesize it in orbit for a myriad of purposes. Big pharma, to take one controversial industry, would [benefit by taking its manufacturing off-world](https://medium.com/fitch-blog/why-is-big-pharma-interested-in-the-space-economy-c078ac1bf67c). The molecular structure of many chemicals grows better in microgravity.¶ The expectation is that a lot of these space businesses — and all the orbital infrastructure designed to support them — will be automated, controlled remotely via telepresence, and monitored by AI. But Suarez is adamant that thousands if not millions of actual human workers will thrive in the space economy, even as robots take their jobs in old industries back on Earth.¶ “Our initial expansion into space will most likely be unsettled and experimental. Human beings excel in such environments,” he says. “Humans can improvise and figure things out as we go. Robots must be purpose-built, and it's going to take time and experience for us to design and build them.”¶ Which is another way startups back on Earth will get rich in the new economy: designing and building those robots, the nearest thing to selling picks and shovels to prospectors in the space gold rush. Thousands of humans in space at any one time will also require the design and construction of stations that spin to create artificial gravity. Again, this isn’t a great stretch: Using centrifugal force to simulate gravity in space was first proposed by scientists in the 19th century. NASA has had workable designs for spinning cislunar habitats called [O’Neill cylinders](https://en.wikipedia.org/wiki/O%27Neill_cylinder) since the 1970s. We just haven’t funded them. ¶ But the trillionaires clearly will.¶ In short, Suarez has carefully laid out a vision of the orbital economy that offers something for everyone in our divided society. For Green New Deal Millennials, there’s the prospect of removing our reliance on fossil fuels at a stroke and literally lifting dirty industries off the face of the planet. For libertarians and other rugged individualists, there’s a whole new frontier to be developed, largely beyond the reach of government. ¶ For those who worry about asteroids that could wipe out civilization — though luckily, [this isn't likely to happen any time soon](https://mashable.com/article/armageddon-asteroid-threat) — here is a way for humanity to get proficient in moving them out of the way, fast. Indeed, the National Space Society has offered [a proposal](https://space.nss.org/technologies-for-asteroid-capture-into-earth-orbit/) to capture the asteroid Aphosis (which is set to miss Earth in the year 2029, but [not by a very comfortable margin](https://www.space.com/asteroid-apophis-2029-flyby-planetary-defense.html)), keep it in orbit, and turn it into 150 small solar-power satellites, as a proof of concept. ¶ For the woke folks who care about the bloody history of diamond production, there’s the likelihood that space mining would wipe out Earth’s entire diamond industry. “They will be found in quantities unattainable on Earth,” claims Suarez, with good reason. We are starting to discover that there is more crystalized carbon in the cosmos than we ever suspected. Astronomers have identified one [distant planet made entirely of diamond](https://www.nationalgeographic.com/science/phenomena/2014/06/24/diamond-the-size-of-earth/); there may be more, but they are, ironically, hard to see. ¶ We don’t have diamond planets in our solar system (and we can’t do interstellar missions), but we do have diamond-studded asteroids. Mine them for long enough and you will wear diamonds on the soles of your shoes.¶ For investors and entrepreneurs, there is the thrill of racing to be the first member of the four-comma club. ([Neil deGrasse Tyson believes that the first trillionaire will be an asteroid mining mogul](https://www.nbcnews.com/science/space/neil-degrasse-tyson-says-space-ventures-will-spawn-first-trillionaire-n352271); Suarez isn’t sure whether they’ll be the first, but he suspects that asteroid mining “will mint more trillionaires than any industry in history.”) ¶ For the regular guy or gal with a 401K, there’ll be a fast-rising stock market — inflated not by financial shenanigans this time, but an actual increase in what the world counts as wealth.¶ For workers, there is the promise of sharing in the untold riches, both legally and otherwise. It would be hard to stop miners attaining mineral wealth beyond their paycheck, under the table, when your bosses are millions of miles away. Then there’s the likelihood of rapid advancement in this new economy, where the miners fast gain the knowledge necessary to become moguls.¶ “After several tours in space working for others, perhaps on six-month or year-long contracts, it's likely that some workers will partner to set up their own businesses there,” says Suarez. “Either serving the needs of increasing numbers of workers and businesses in space, marketing services to Earth, or launching asteroid mining startups themselves.” All in all, it’s starting to sound a damn sight more beneficial to the human race than the internet economy is. Not a moment too soon. I’ve written encouragingly about asteroid mining several times before, each time touting the massive potential wealth that seems likely to be made. And each time there’s been a sense of disquiet among my readers, a sense that we’re taking our rapacious capitalist ways and exploiting space.¶ Whereas the truth is, this is exactly the version of capitalism humanity has needed all along: the kind where there is no ecosystem to destroy, no marginalized group to make miserable. A safe, dead space where capitalism’s most enthusiastic pioneers can go nuts to their hearts’ content, so long as they clean up their space junk. ¶ ([Space junk](https://mashable.com/category/space-junk) is a real problem in orbital space because it has thousands of vulnerable satellites clustered closely together around our little blue rock. The vast emptiness of cislunar space, not so much.)¶ And because they’re up there making all the wealth on their commodities market, we down here on Earth can certainly afford to focus less on growing our stock market. Maybe even, whisper it low, we can afford a fully functioning social safety net, plus free healthcare and free education for everyone on the planet.¶ It’s also clearly the area where we should have focused space exploration all along. If we settle on Mars, we may disturb as-yet-undiscovered native bacteria — and as the character Nathan Joyce shouts at a group of “Mars-obsessed” entrepreneurs in Delta-V, Mars is basically filled with toxic sand and is thus looking increasingly impossible to colonize. (Sorry, Mark Watney from The Martian, those potatoes would probably kill you.)

#### Warming causes extinction.

Bill McKibben 19, Schumann Distinguished Scholar at Middlebury College; fellow of the American Academy of Arts and Sciences; holds honorary degrees from 18 colleges and universities; Foreign Policy named him to their inaugural list of the world’s 100 most important global thinkers. "This Is How Human Extinction Could Play Out." Rolling Stone. 4-9-2019. https://www.rollingstone.com/politics/politics-features/bill-mckibben-falter-climate-change-817310/

Oh, it could get very bad. In 2015, a study in the Journal of Mathematical Biology pointed out that if the world’s oceans kept warming, by 2100 they might become hot enough to “stop oxygen production by phyto-plankton by disrupting the process of photosynthesis.” Given that two-thirds of the Earth’s oxygen comes from phytoplankton, that would “likely result in the mass mortality of animals and humans.” A year later, above the Arctic Circle, in Siberia, a heat wave thawed a reindeer carcass that had been trapped in the permafrost. The exposed body released anthrax into nearby water and soil, infecting two thousand reindeer grazing nearby, and they in turn infected some humans; a twelve-year-old boy died. As it turns out, permafrost is a “very good preserver of microbes and viruses, because it is cold, there is no oxygen, and it is dark” — scientists have managed to revive an eight-million-year-old bacterium they found beneath the surface of a glacier. Researchers believe there are fragments of the Spanish flu virus, smallpox, and bubonic plague buried in Siberia and Alaska. Or consider this: as ice sheets melt, they take weight off land, and that can trigger earthquakes — seismic activity is already increasing in Greenland and Alaska. Meanwhile, the added weight of the new seawater starts to bend the Earth’s crust. “That will give you a massive increase in volcanic activity. It’ll activate faults to create earthquakes, submarine landslides, tsunamis, the whole lot,” explained the director of University College London’s Hazard Centre. Such a landslide happened in Scandinavia about eight thousand years ago, as the last Ice Age retreated and a Kentucky-size section of Norway’s continental shelf gave way, “plummeting down to the abyssal plain and creating a series of titanic waves that roared forth with a vengeance,” wiping all signs of life from coastal Norway to Greenland and “drowning the Wales-sized landmass that once connected Britain to the Netherlands, Denmark, and Germany.” When the waves hit the Shetlands, they were sixty-five feet high. There’s even this: if we keep raising carbon dioxide levels, we may not be able to think straight anymore. At a thousand parts per million (which is within the realm of possibility for 2100), human cognitive ability falls 21 percent. “The largest effects were seen for Crisis Response, Information Usage, and Strategy,” a Harvard study reported, which is too bad, as those skills are what we seem to need most. I could, in other words, do my best to scare you silly. I’m not opposed on principle — changing something as fundamental as the composition of the atmosphere, and hence the heat balance of the planet, is certain to trigger all manner of horror, and we shouldn’t shy away from it. The dramatic uncertainty that lies ahead may be the most frightening development of all; the physical world is going from backdrop to foreground. (It’s like the contrast between politics in the old days, when you could forget about Washington for weeks at a time, and politics in the Trump era, when the president is always jumping out from behind a tree to yell at you.) But let’s try to occupy ourselves with the most likely scenarios, because they are more than disturbing enough. Long before we get to tidal waves or smallpox, long before we choke to death or stop thinking clearly, we will need to concentrate on the most mundane and basic facts: everyone needs to eat every day, and an awful lot of us live near the ocean. FOOD SUPPLY first. We’ve had an amazing run since the end of World War II, with crop yields growing fast enough to keep ahead of a fast-rising population. It’s come at great human cost — displaced peasant farmers fill many of the planet’s vast slums — but in terms of sheer volume, the Green Revolution’s fertilizers, pesticides, and machinery managed to push output sharply upward. That climb, however, now seems to be running into the brute facts of heat and drought. There are studies to demonstrate the dire effects of warming on coffee, cacao, chickpeas, and champagne, but it is cereals that we really need to worry about, given that they supply most of the planet’s calories: corn, wheat, and rice all evolved as crops in the climate of the last ten thousand years, and though plant breeders can change them, there are limits to those changes. You can move a person from Hanoi to Edmonton, and she might decide to open a Vietnamese restaurant. But if you move a rice plant, it will die. A 2017 study in Australia, home to some of the world’s highest-tech farming, found that “wheat productivity has flatlined as a direct result of climate change.” After tripling between 1900 and 1990, wheat yields had stagnated since, as temperatures increased a degree and rainfall declined by nearly a third. “The chance of that just being variable climate without the underlying factor [of climate change] is less than one in a hundred billion,” the researchers said, and it meant that despite all the expensive new technology farmers kept introducing, “they have succeeded only in standing still, not in moving forward.” Assuming the same trends continued, yields would actually start to decline inside of two decades, they reported. In June 2018, researchers found that a two-degree Celsius rise in temperature — which, recall, is what the Paris accords are now aiming for — could cut U.S. corn yields by 18 percent. A four-degree increase — which is where our current trajectory will take us — would cut the crop almost in half. The United States is the world’s largest producer of corn, which in turn is the planet’s most widely grown crop. Corn is vulnerable because even a week of high temperatures at the key moment can keep it from fertilizing. (“You only get one chance to pollinate a quadrillion kernels of corn,” the head of a commodity consulting firm explained.) But even the hardiest crops are susceptible. Sorghum, for instance, which is a staple for half a billion humans, is particularly hardy in dry conditions because it has big, fibrous roots that reach far down into the earth. Even it has limits, though, and they are being reached. Thirty years of data from the American Midwest show that heat waves affect the “vapor pressure deficit,” the difference between the water vapor in the sorghum leaf’s interior and that in the surrounding air. Hotter weather means the sorghum releases more moisture into the atmosphere. Warm the planet’s temperature by two degrees Celsius — which is, again, now the world’s goal — and sorghum yields drop 17 percent. Warm it five degrees Celsius (nine degrees Fahrenheit), and yields drop almost 60 percent. It’s hard to imagine a topic duller than sorghum yields. It’s the precise opposite of clickbait. But people have to eat; in the human game, the single most important question is probably “What’s for dinner?” And when the answer is “Not much,” things deteriorate fast. In 2010 a severe heat wave hit Russia, and it wrecked the grain harvest, which led the Kremlin to ban exports. The global price of wheat spiked, and that helped trigger the Arab Spring — Egypt at the time was the largest wheat importer on the planet. That experience set academics and insurers to work gaming out what the next food shock might look like. In 2017 one team imagined a vigorous El Niño, with the attendant floods and droughts — for a season, in their scenario, corn and soy yields declined by 10 percent, and wheat and rice by 7 percent. The result was chaos: “quadrupled commodity prices, civil unrest, significant negative humanitarian consequences . . . Food riots break out in urban areas across the Middle East, North Africa, and Latin America. The euro weakens and the main European stock markets lose ten percent.” At about the same time, a team of British researchers released a study demonstrating that even if you can grow plenty of food, the transportation system that distributes it runs through just fourteen major choke-points, and those are vulnerable to — you guessed it — massive disruption from climate change. For instance, U.S. rivers and canals carry a third of the world’s corn and soy, and they’ve been frequently shut down or crimped by flooding and drought in recent years. Brazil accounts for 17 percent of the world’s grain exports, but heavy rainfall in 2017 stranded three thousand trucks. “It’s the glide path to a perfect storm,” said one of the report’s authors. Five weeks after that, another report raised an even deeper question. What if you can figure out how to grow plenty of food, and you can figure out how to guarantee its distribution, but the food itself has lost much of its value? The paper, in the journal Environmental Research, said that rising carbon dioxide levels, by speeding plant growth, seem to have reduced the amount of protein in basic staple crops, a finding so startling that, for many years, agronomists had overlooked hints that it was happening. But it seems to be true: when researchers grow grain at the carbon dioxide levels we expect for later this century, they find that minerals such as calcium and iron drop by 8 percent, and protein by about the same amount. In the developing world, where people rely on plants for their protein, that means huge reductions in nutrition: India alone could lose 5 percent of the protein in its total diet, putting 53 million people at new risk for protein deficiency. The loss of zinc, essential for maternal and infant health, could endanger 138 million people around the world. In 2018, rice researchers found “significantly less protein” when they grew eighteen varieties of rice in high–carbon dioxide test plots. “The idea that food became less nutritious was a surprise,” said one researcher. “It’s not intuitive. But I think we should continue to expect surprises. We are completely altering the biophysical conditions that underpin our food system.” And not just ours. People don’t depend on goldenrod, for instance, but bees do. When scientists looked at samples of goldenrod in the Smithsonian that dated back to 1842, they found that the protein content of its pollen had “declined by a third since the industrial revolution — and the change closely tracks with the rise in carbon dioxide.” Bees help crops, obviously, so that’s scary news. But in August 2018, a massive new study found something just as frightening: crop pests were thriving in the new heat. “It gets better and better for them,” said one University of Colorado researcher. Even if we hit the UN target of limiting temperature rise to two degrees Celsius, pests should cut wheat yields by 46 percent, corn by 31 percent, and rice by 19 percent. “Warmer temperatures accelerate the metabolism of insect pests like aphids and corn borers at a predictable rate,” the researchers found. “That makes them hungrier[,] and warmer temperatures also speed up their reproduction.” Even fossilized plants from fifty million years ago make the point: “Plant damage from insects correlated with rising and falling temperatures, reaching a maximum during the warmest periods.”

## Geo PIC

Blodger 16 [Ian Blodger (JD Candidate, 2016, University of Minnesota Law School),“Reclassifying Geostationary Earth Orbit as Private Property: Why Natural Law and Utilitarian Theories of Property Demand Privatization,” 17 MINN. J.L. SCI. & TECH. 409 (2016). <https://scholarship.law.umn.edu/mjlst/vol17/iss1/7?utm_source=scholarship.law.umn.edu%2Fmjlst%2Fvol17%2Fiss1%2F7&utm_medium=PDF&utm_campaign=PDFCoverPages>] CT

C. ALLOCATING PRIVATE PROPERTY INTERESTS IN GEO IS A GOOD IDEA UNDER DEMSETZS THEORY

Demsetz argues that property rights arise when the gains of internalization [of externalities] become larger than the cost of internalization.137 The current approach to geostationary orbit allocation creates direct, indirect, and administrative negative externalities, which obstruct valuable space in geostationary orbit.138 The effects of the current common scheme are felt directly through the presence of large amounts of debris.139 Under the current system, satellite operators have no long term incentives to keep the orbital area clear from debris since competitors will be able to take over the slot once the satellite no longer functions.140 Since the satellite operator cannot sell rights to the location after the termination of the satellites functions, they can ensure that their competition cannot easily gain access to the same space by leaving the satellite floating in space.141 As a result of this type of incentive, [t]he amount of space junk is increasing by about 5 percent per year; meaning that by the end of the century a satellite in GEO will have a 40 percent chance of being struck during its operation life-time.142 This poses problems for global communications networks, which rely heavily on GEO for their operations.143 Not only are these direct costs harmful, but the costs associated with preventing this kind of damage are also relevant.144 Satellites must now carry debris shields, debris monitoring systems, and maneuvering capabilities.145 Moreover, the lack of an external cost to profit from the area has increased demand such that the ITU has a large backlog of applications for GEO orbital slots.146 The ITUs current method of granting orbital registration on a first come first served basis does not allow for an efficient allocation of resources since those who would be willing to invest more in the space (in the hope of obtaining a larger return for their investment) are effectively precluded from doing so by the current registration system.147 Since the costs to the area are not internalized in the sale value of the area, they are passed on to others wishing to use the space.148 Under Demsetzs theory, if the costs associated with privatizing geostationary orbit slots are less than the benefits gained from such privatization, then property interests should be allocated.149

First, allowing privatization of geostationary orbit will mitigate future space debris and potentially allow for a clean up of current debris.150 Analyzing different methods for reducing space debris, Nodir Aldinov, Peter Alexander, and Brenda Cunningham concluded that the lack of costs associated with launching a satellite (apart from the costs necessary to build and place the satellite in orbit) allows for more satellites than optimum.151 This is because corporations seeking to maximize profits have no need to take account of the negative externality its satellite launches impose on other firms.152 Aldinov, Alexander, and Cunningham conclude that by instituting a tax on each launch, actors would be incentivized to internalize externalities, which would in turn bring the number of launches to the socially optimum level.153 They further contend that the profits from the launch tax could be used to invest in programs to seek out and actively clean up space.154

The creation of a property interest in GEO locations will not only accomplish the end results of a tax, but it also provides an incentive to launch a satellite in the first place. By creating a property interest in geostationary orbit, the market will quickly establish a price for the zone.155 This price will act in the same way as a tax, forcing actors to consider not just the cost of the satellite (which will inevitably be lost), but also a potential return on the investment in the property right itself.156 The creation of this additional cost and benefit will eliminate negative externalities associated with too many satellite launches.157 Additionally, allowing actors to resell their orbital zone or reuse it as needed provides an added incentive to actively clean up the area.158 Therefore, like the imposition of a tax, creating a private interest in a GEO slots will decrease the number of excess satellites launched into GEO, and provide incentives to clean up the area in order to maximize profits.

Unlike a tax however, property rights more efficiently ensure a preservation of a clean space environment.159 Murray N. Rothbards book, For a New Liberty, discusses a libertarian approach to pollution and finds that the governments control over pollution regulations is much less efficient than a private property owner enforcing their rights through the court system.160 In part, this inefficiency results from an apathetic enforcement of the laws, which do not benefit the enforcers.161 Rothbard additionally argues the governments assessment of the potential harms of pollution often differ from those who have a stake in the matter, and thus fail to take into account the full magnitude of the situation, leading to inefficient tax regimes.162 In a private system with redress to the courts, property owners will zealously defend their property from trespass, and will do so efficiently, because they are able to take into account the relevant variables that threaten their property, where the government cannot take such an individualized approach.163 Thus, while the benefits derived from a system of taxation and a private property system are similar, the allocation of private property will ultimately lead to a more efficient protection of GEO.

This, in turn, will effectively eliminate the need for indirect costs associated with preventing harm to satellites in orbit. Currently, satellites must contain equipment necessary to track, and maneuver away from orbiting debris.164 With a reduction in the number of satellites and an increased number of satellites moved to graveyard orbits, and the potential for a reduction in other forms of debris, the need for such sophisticated technology will decrease.165 The market will control this as well, since risk adverse actors will desire avoidance systems so they can ensure a return on the resale of the property after the satellites eventual failure.166

It is possible to argue that the distribution of property rights will be inequitable and as such will be lead to many parties being worse off than they were under the current approach.167 First, the current systems allocation of orbital rights on a first come first serve basis has the same problem of inequality, excluding actors from developing nations without advanced space programs.168 Moreover, the creation of the property right gives the current holder an incentive to transfer the property later once others private investors and smaller countries, which were unable to initially access space, are willing to pay compensation.169 Under the current system, developing nations or startup companies will have no way of bringing their product to market in a timely manner since the barrier to entry is artificially low.170 In essence, the allocation of property rights in GEO may not be the most equitable solution initially, however the market will determine a price, which any nation or actor may pay to access the area, and in this way it is eminently equitable.171

Under Demsetzs theory, the comparative increase in efficiency brought about by the creation of a property right suggests that the property right should exist.172 After examining the current problems facing GEO, and the benefits of privatization, it seems clear that the costs of privatizing are minimal,173 while the costs of not privatizing the area are great.174 Since the benefits to privatization outweigh the costs, the area should be privatized.