# 2NR

# Dubs Peninsula NC

### T

#### Interpretation: the affirmative may not specify a type of appropriation

#### ‘The’ indicates that appropriation is generic – no spec is allowed

Merriam Webster’s 19 Online Dictionary, https://www.merriam-webster.com/dictionary/the

4 -- used as a function word before a noun or a substantivized adjective to indicate reference to a group as a whole <the elite>

#### Violation: they spec asteroid mining

#### Standards

#### 1] Limits – they can spec infinite different types of appropriation like space mining, satellite orbit types, colonization, etc. This takes out functional limits – it’s impossible for me to research every possible combination of entities, governments, and appropriation.

#### 2] TVA solves – just read your aff as an advantage to a whole rez aff – we don’t stop them from reading new FWs, mechanisms or advantages. PICs aren’t aff offense – a] it’s ridiculous to say that neg potential abuse justifies the aff being non-T b] There’s only a small number of pics on this topic c] PICs incentivize them to write better affs that can generate solvency deficits to PICs

#### Topicality is a voting issue that should be evaluated through competing interpretations—it tells the negative what they do and do not have to prepare for. Reasonability is arbitrary and unpredictable, inviting a race to the bottom and we’ll win it links to our offense. No RVIs—it’s your burden to be fair and T—same reason you don’t win for answering inherency or putting defense on a disad.

### T

#### Interpretation: Private entities are majority owned and managed by nonstate actors

Warners 20 (Bill, JD Candidate, May 2021, at UIC John Marshall Law School) "Patents 254 Miles up: Jurisdictional Issues Onboard the International Space Station." UIC Review of Intellectual Property Law, vol. 19, no. 4, 2020, p. 365-380. HeinOnline. EE

To satisfy these three necessary requirements for a new patent regime, the ISS IGA must add an additional clause ("Clause 7") in Article 21 specifically establishing a patent regime for private nonstate third parties onboard the ISS. First, Clause 7 would define the term "private entity" as an individual, organization, or business which is primarily privately owned and/or managed by nonstate affiliates. Specifically defining the term "private entity" prevents confusion as to what entities qualify under the agreement and the difference between "public" and "private."99 This definition would also support the connection of Clause 1 in Article 21 to "Article 2 of the Convention Establishing the World Intellectual Property Organization." 100 A succinct definition also alleviates international concerns that the changes to the ISS IGA pushes out Partner State influence. 101 Some in the international community may still point out that Clause 7 still pushes towards a trend of outer space privatization. However, this argument fails to consider that private entities in outer space have operated in space almostas comprehensively as national organizations. 102

#### Violation – they defend a multi-lateral agreement

#### Vote neg for predictable limits – expanding the topic to governmental bodies explodes potential affs by including advantages about the OST, country-country relations, the UN while spiking out of our core space mining and commercial satellite disads. Cross apply voters from first shell.

### CP

#### Counterplan: Property rights for asteroids should be governed by the doctrine of appropriation. Private appropriation of non-asteroid celestial bodies should be prohibited.

#### No link turns -- rules of appropriation solve waste and abstract claims and alternative approaches don’t

Myers 16 -- Ross Myers (J.D. candidate at the University of Oregon Law School.), The Doctrine of Appropriation and Asteroid Mining: Incentivizing the Private Exploration and Development of Outer Space, 2016, Oregon Review of International Law, https://scholarsbank.uoregon.edu/xmlui/bitstream/handle/1794/19850/Meyers.pdf?sequence=1 WJ

Like water during the expansion of the American West, the exploration of space can be financed and incentivized by granting rights in resources to those who secure new resources and put them to beneficial use. Some legal scholars have suggested the traditional rule of capture be applied to asteroids,69 or that rights to asteroids be purchased directly from an international agency and owned as chattel.70 However, like water during America’s westward expansion, asteroids are not easily classified under traditional property regimes. Thus, a doctrine of appropriation would be more appropriate for asteroids than a traditional rule of capture or a chattel system, because a system based on the traditional rule of capture or chattel would result in waste, abstract claims, and complicated legal issues.

First, asteroid claims cannot be adjudicated under the traditional rule of capture, or as chattel, because such systems would be incredibly wasteful. As of now, scientists have observed approximately 450,000 asteroids in our solar system.71

But only a fraction of the observable bodies will be cost effective to mine. While it might one day be possible for a single entity to finance several mining missions at once, current costs associated with such a venture would limit almost any space-mining program to one or two asteroids, at least initially.72 The traditional rule of capture could allow an entity to quickly claim multiple asteroids merely by landing on them and planting a flag, without requiring the entity to show it can reasonably use the resources they have claimed.

Even worse would be a system where the same corporation could claim asteroids simply by discovering their existence and registering the claim. Allowing this type of unregulated claim would incentivize larger corporations capable of space travel to quickly claim reachable asteroids, but the claims could easily outpace those entities’ realistic expectations on what they could use. Under a traditional rule of capture system, the solar system could be divvied up long before the resources could conceivably be mined. A rule similar to the doctrine of appropriation used for water claims in the United States would alleviate this concern by limiting claims to those where a claimant can show a reasonable beneficial use for the resource.

Another concern posed by the traditional rule of capture or chattel system would be the creation of abstract claims. Some legal scholars have advocated for a system where asteroids would be categorized as chattel, and rights in asteroids would be granted to an entity that could identify an asteroid and register ownership of it with an international agency.73 The advantage of such a system would be that it would allow an international agency to keep track of asteroids, and it would allow for the mapping of the reachable solar system. The problem with this approach, however, is that it would result in abstract claims. If an entity could claim the rights to an asteroid without actual possession, there is nothing to prevent that company from claiming ownership long in advance of any real possibility of landing on it. One of the reasons for creating the doctrine of appropriation was to limit abstract claims over resources that were not being used in any reasonable way. Just as the plaintiffs in Hague had no recourse against the third party who wasted the natural gas reserve, there would be no cause of action against an entity that has the rights to an asteroid, but chooses not to exercise them.74 This may be particularly harmful to society because asteroids contain volatiles that may be essential to creating rocket fuel in space, which, in turn, may be crucial to deep space exploration.

Using asteroid-bound volatiles to make rocket fuel would reduce the cost and increase the range of space exploratory missions, possibly improving the human race’s ability to explore and develop space. Under a system were entities could claim asteroids without actual possession, those entities could exclude others from landing on the asteroids and using such resources, even when such resources are languishing unused in space. To prevent the creation of such abstract claims over asteroids, the doctrine of appropriation could be modified as to only grant rights only to entities who are able to demonstrate both actual possession and beneficial use. This would ensure that asteroids claims are limited to those where the resources are actually being used, thus, maximizing the utility of such celestial bodies to society.

Finally, asteroids cannot be adjudicated under the traditional rule of capture or a chattel system because their unique propensity to collide with other celestial bodies would result in vexing legal issues. Pop culture has popularized the notion of an asteroid crashing into the surface of Earth in movies and books, but interspace collisions may be a real concern. Asteroids are constantly moving through space, and they often crash into other asteroids or space debris, and sometimes onto the surface of planets. So real is the concern that space agencies regularly keep track of NEOs, or Near Earth Objects, which include around 10,000 asteroids large enough to be tracked in space.75 Imagine the scenario in the popular movie Armageddon, where society wrestles with the mechanics of destroying a huge asteroid that is headed straight for Earth.76 It would be strange, indeed, if the situation were further complicated by an entity owning the asteroid. Would the Earth have to compensate the company for the loss of resources, or would the company be forced to assume liability for the damage caused by the collision? What if the asteroid, rather than crashing into Earth, crashed instead into another asteroid owned by different entity? It makes sense that a company with actual possession of an asteroid should have a claim for actual mining equipment destroyed, but it seems unreasonable to treat the entire rock as the entity’s chattel. By limiting asteroid claims under a doctrine of appropriation-like system, society will be saved the headache of attempting to adjudicate such absurd situations.

Because the traditional rule of capture or a chattel system for the ownership of asteroids would result in waste, abstract claims, and absurd legal dilemmas, a modified doctrine of appropriation should replace existing outdated international space law relating to asteroids.’

### DA

#### Asteroid mining is an unqualified good – it’s essential to advanced asteroid deflection, deep space travel, and fighting climate change – prefer this over their Riederer on specificty

Heise 18 -- Jack Heise (Judicial Law Clerk at U.S. Courts of Appeals), Space, the Final Frontier of Enterprise: Incentivizing Asteroid Mining Under a Revised International Framework, 40 Mich. J. Int'l L. 189 (2018). https://repository.law.umich.edu/mjil/vol40/iss1/5 WJ

Asteroid mining has the potential to facilitate space travel, an outcome the OST holds to be in the interest of humanity as a whole.39 The potential of asteroid mining to reduce the cost of spaceflight, moreover, could facilitate the growth of the space economy. Asteroid mining thus aligns with another stated purposes of the OST in the sense that an expanded space econ- omy could provide substantial benefits to all mankind.40 First, in seeking to face the challenges posed by space travel, the public sector space race gave rise to numerous technological innovations, ranging from LEDs to emergency blankets to memory foam.41 It seems likely that the private space race would result in a similar degree of innovation, the products of which could benefit people across the globe.

Second, a successful mission to Mars could provide benefits beyond a mere sense of interplanetary accomplishment. NASA suggests that, given the parallels between the formation and evolution of Mars and Earth, a voyage there could help “us learn more about our own planet’s history and future.”42 The scientific advancements from such a mission cannot currently be anticipated and are difficult to predict, but “expand[ing] the frontiers of knowledge” in this manner could well bring benefits to all mankind.43

Third, the development of asteroid mining technology could also help advance asteroid diversion tactics. The development of the technology required to conduct successful asteroid mining operations could “help us to divert any incoming asteroids.”44 This is of great importance since NASA recently eliminated its Asteroid Redirect Mission due to funding cuts;45 NASA’s project was hailed by some scientists as a “critical step in demonstrating we can protect our planet from a future asteroid impact . . . .”46 Asteroid mining could step in and fill an important void. While the probability of an Armageddon-causing impact is low, the effects of an impact would be extremely severe.47 Even some mitigation of this risk as a byproduct of as- teroid mining would be a benefit to humanity as a whole.

Finally, reduced launch costs could facilitate measures to combat global climate change. One proposed solution for canceling out predicted increases in average worldwide temperature is to “prevent[] . . . about 1% of incoming solar radiation—insolation—from reaching the Earth. This could be done by scattering into space from the vicinity of Earth an appropriately small frac- tion of total insolation.”48 Asteroid mining could facilitate such measures in that “[t]echnologies that could greatly decrease the cost of space-launch could make a telling difference in the practicality of all types of space- deployed scattering systems of scales appropriate to insolation modulation.”49 There are certainly intermediate measures to combat climate change that ought to be taken first, but asteroid mining would facilitate this expedited solution. While some of the benefits of asteroid mining would doubtless accrue primarily to those nations with asteroid mining companies within their borders, the benefits noted in this section—space exploration as a gen- eral proposition, technological and scientific development, improvement of asteroid diversion technology, and facilitated means of swiftly countering climate change—would inure substantially to the benefit of all mankind.

#### Asteroids have no significance beyond their finite resources – property rights for asteroids are necessary for deep space travel and rare metals

Myers 16 -- Ross Myers (J.D. candidate at the University of Oregon Law School.), The Doctrine of Appropriation and Asteroid Mining: Incentivizing the Private Exploration and Development of Outer Space, 2016, Oregon Review of International Law, https://scholarsbank.uoregon.edu/xmlui/bitstream/handle/1794/19850/Meyers.pdf?sequence=1 WJ

Asteroids are “metallic, rocky bodies without atmospheres that orbit the sun and are too small to be classified as planets.”33 Like water, asteroids are limited resources that are unconnected to any form of real property. Asteroids vary greatly in size, and are believed to consist primarily of metals and water, sometimes in staggering quantities.34 As such, asteroids may contain significant resources that would help serve to incentivize and facilitate the exploration of space.

Asteroids can be divided into classes, the three most commercially relevant being C-type, M-type, and S-type.35 C-type asteroids (carbonaceous) are the most common variety, and approximately half of the near Earth asteroids that are at least 1km large are C-type asteroids.36 These asteroids have a high content of water, hydrogen, and methane, all of which could potentially be mined to create rocket fuel on-site.37 Rocket fuel storage provides a limit on how far space vessels can be sent into deep space, so the creation of rocket fuel on asteroids would allow missions to probe deeper into space without having to bring enough fuel for a return trip. This could reduce the cost and difficulty of such endeavors significantly, allowing for more efficient exploration and development of deep space.

M-type asteroids (metallic) have the high radar reflectivity characteristic of metals,38 and are probably the most economically attractive targets for mining missions because of the commercial value of the metals in an Earth market. S-type asteroids (stony) are rocky mixtures of silicates, sulphides, and metals,39 but the metals they contain may not be as valuable as those found in M-type asteroids, so they will probably not be the target of initial space mining missions.

Recent scientific reports have suggested a single asteroid may contain staggering quantities of rare metals.40 One report estimated that a moderately sized (1 km) M-type asteroid with a fair enrichment in platinum group metals may contain twice the tonnage of platinum group metals already harvested on Earth combined with economically viable platinum group metal resources still in the ground.41 Put simply, it is believed a single asteroid could contain more platinum than has ever been mined or ever will be mined on Earth. While the economic gain from a mining mission on such an asteroid would be offset by the huge initial cost of reaching the asteroid and capturing the metals, this figure suggests mining missions to asteroids could be extremely profitable. Planetary Resources, a fledgling asteroid mining company, has already targeted a metallic asteroid for a possible future mining mission.42 According to Planetary Resources, this single asteroid may contain more platinum than has ever been mined on Earth.43

Scientific reports have also suggested asteroids may contain large quantities of volatiles, such as hydrogen and methane, which could potentially be broken down and used to synthesize rocket fuel and transport spacecraft between space environments.44 Several companies are already researching how to successfully mine the metals contained in asteroids by using frozen water contained in the asteroid to produce rocket fuel for a return journey.45

Asteroids are similar to water in many respects: both have economic and practical importance and limited availability; both exist as floating objects unconnected to land; and both are practically and commercially important to society and many different industries both in the context of space travel, and in the context of natural resource acquisition. However, unlike water, under the current international treaties regarding space, claims by either private or government entities on celestial objects are prohibited.46

#### Prohibitions on appropriation prevent asteroid mining despite growing space industries

Myers 16 -- Ross Myers (J.D. candidate at the University of Oregon Law School.), The Doctrine of Appropriation and Asteroid Mining: Incentivizing the Private Exploration and Development of Outer Space, 2016, Oregon Review of International Law, https://scholarsbank.uoregon.edu/xmlui/bitstream/handle/1794/19850/Meyers.pdf?sequence=1 WJ

Despite a decrease in national space program funding, corporate space missions are on the rise. In 2010, President Obama proposed that NASA exit the business of flying astronauts from Earth to low Earth orbit and move it to private companies.52 Several companies have stepped up to bat, and corporate space programs now include space tourism, supply missions, and in one case a one-way colonization mission to Mars.53 Corporate interest in space tourism and development demonstrates a strong private commercial interest in space as an industry, which could serve to finance the exploration of space in a period where national governments do not have an active financial interest in space. However, under current international treaties, the ownership of asteroids is prohibited, preventing corporations willing to invest in asteroid mining from having a secure claim.

#### Warming causes extinction

Yangyang Xu 17, Assistant Professor of Atmospheric Sciences at Texas A&M University; and Veerabhadran Ramanathan, Distinguished Professor of Atmospheric and Climate Sciences at the Scripps Institution of Oceanography, University of California, San Diego, 9/26/17, “Well below 2 °C: Mitigation strategies for avoiding dangerous to catastrophic climate changes,” Proceedings of the National Academy of Sciences of the United States of America, Vol. 114, No. 39, p. 10315-10323

We are proposing the following extension to the DAI risk categorization: warming greater than 1.5 °C as “dangerous”; warming greater than 3 °C as “catastrophic?”; and warming in excess of 5 °C as “unknown??,” with the understanding that changes of this magnitude, not experienced in the last 20+ million years, pose existential threats to a majority of the population. The question mark denotes the subjective nature of our deduction and the fact that catastrophe can strike at even lower warming levels. The justifications for the proposed extension to risk categorization are given below.

From the IPCC burning embers diagram and from the language of the Paris Agreement, we infer that the DAI begins at warming greater than 1.5 °C. Our criteria for extending the risk category beyond DAI include the potential risks of climate change to the physical climate system, the ecosystem, human health, and species extinction. Let us first consider the category of catastrophic (3 to 5 °C warming). The first major concern is the issue of tipping points. Several studies (48, 49) have concluded that 3 to 5 °C global warming is likely to be the threshold for tipping points such as the collapse of the western Antarctic ice sheet, shutdown of deep water circulation in the North Atlantic, dieback of Amazon rainforests as well as boreal forests, and collapse of the West African monsoon, among others. While natural scientists refer to these as abrupt and irreversible climate changes, economists refer to them as catastrophic events (49).

Warming of such magnitudes also has catastrophic human health effects. Many recent studies (50, 51) have focused on the direct influence of extreme events such as heat waves on public health by evaluating exposure to heat stress and hyperthermia. It has been estimated that the likelihood of extreme events (defined as 3-sigma events), including heat waves, has increased 10-fold in the recent decades (52). Human beings are extremely sensitive to heat stress. For example, the 2013 European heat wave led to about 70,000 premature mortalities (53). The major finding of a recent study (51) is that, currently, about 13.6% of land area with a population of 30.6% is exposed to deadly heat. The authors of that study defined deadly heat as exceeding a threshold of temperature as well as humidity. The thresholds were determined from numerous heat wave events and data for mortalities attributed to heat waves. According to this study, a 2 °C warming would double the land area subject to deadly heat and expose 48% of the population. A 4 °C warming by 2100 would subject 47% of the land area and almost 74% of the world population to deadly heat, which could pose existential risks to humans and mammals alike unless massive adaptation measures are implemented, such as providing air conditioning to the entire population or a massive relocation of most of the population to safer climates.

Climate risks can vary markedly depending on the socioeconomic status and culture of the population, and so we must take up the question of “dangerous to whom?” (54). Our discussion in this study is focused more on people and not on the ecosystem, and even with this limited scope, there are multitudes of categories of people. We will focus on the poorest 3 billion people living mostly in tropical rural areas, who are still relying on 18th-century technologies for meeting basic needs such as cooking and heating. Their contribution to CO2 pollution is roughly 5% compared with the 50% contribution by the wealthiest 1 billion (55). This bottom 3 billion population comprises mostly subsistent farmers, whose livelihood will be severely impacted, if not destroyed, with a one- to five-year megadrought, heat waves, or heavy floods; for those among the bottom 3 billion of the world’s population who are living in coastal areas, a 1- to 2-m rise in sea level (likely with a warming in excess of 3 °C) poses existential threat if they do not relocate or migrate. It has been estimated that several hundred million people would be subject to famine with warming in excess of 4 °C (54). However, there has essentially been no discussion on warming beyond 5 °C.

Climate change-induced species extinction is one major concern with warming of such large magnitudes (>5 °C). The current rate of loss of species is ∼1,000-fold the historical rate, due largely to habitat destruction. At this rate, about 25% of species are in danger of extinction in the coming decades (56). Global warming of 6 °C or more (accompanied by increase in ocean acidity due to increased CO2) can act as a major force multiplier and expose as much as 90% of species to the dangers of extinction (57).

The bodily harms combined with climate change-forced species destruction, biodiversity loss, and threats to water and food security, as summarized recently (58), motivated us to categorize warming beyond 5 °C as unknown??, implying the possibility of existential threats. Fig. 2 displays these three risk categorizations (vertical dashed lines).

## Case

### Space Wars

#### Space wars are impossible and can’t escalate --- debris, high monetary costs, and lack of lift capabilities

Handberg, 17 – Faculty and Research, School of Politics, Security, and International Affairs, UCF Roger Handberg, “Is space war imminent? Exploring the possibility,” Comparative Strategy. 2017. <https://www.tandfonline.com/doi/pdf/10.1080/01495933.2017.1379832?needAccess=true>

--Space wars were discounted in 1960s – things haven’t changed now – environment still hostile – moreso now bc debris is worse

--Costs a ton to send stuff up there

--Lift capabilities are weak which means war can’t be sustained

--Replacements are slow so war has to be ended s

Why now?

Recently, there has been an ongoing resurgence of interest in the possibilities for actual combat in outer space, effectively war in a new domain. Why this would become plausible now is interesting, since the physical realities present in the early days of space activity have not changed. Spacecraft remain vulnerable to attack from the ground by anti-satellite (ASAT) weapons, while the debris issue grows exponentially worse now, given the proliferation of such objects in space as part of the normal operations in outer space: used boosters, dead satellites, pieces of broken spacecraft and satellites, and small particles with deadly impact on other spacecraft. The space shuttles routinely returned to Earth with dings and scars from space debris, while the International Space Station (ISS) several times has been lifted out of harm’s way due to oncoming debris. More critically for assessing space-war possibilities, the sheer cost of conducting such operations remains extremely high, while the possibilities for sustaining combat in space are suspect due to lack of lift capability. The difficulty in orbiting replacement satellites to restore functionality remains, assuming the environment is not too hostile due to expanding debris fields. Replacement satellites or other space hardware are still slow-production items, although that in principle could be placed on more of an assembly-line basis, as was done with the Iridium satellite flotilla of 66 comsats plus multiple spares.19 Or, smaller cube satellites with more limited functionality could be orbited as gap fillers while larger, more functional satellites are built and flown if time exists to do so.

#### Kinetic space targeting requires huge resources that make it infeasible, but cyber attacks are an alt cause they don’t solve

Handberg, 17 – Faculty and Research, School of Politics, Security, and International Affairs, UCF Roger Handberg, “Is space war imminent? Exploring the possibility,” Comparative Strategy. 2017. <https://www.tandfonline.com/doi/pdf/10.1080/01495933.2017.1379832?needAccess=true>

Third, the most obvious initial attack of space-based assets will most likely come from cyber attacks, given that such actions do not necessarily require the scale of resources necessary for other modalities such as kinetic weapons, or even lasers or other energy-type weapons. One will have to position the weapons plus the infrastructure to permit rapid recycling of the weapons for the next attack. Firing off interceptors will likely be a one-off, meaning extremely precise targeting will be required if the attack is to be successful. Note that none of these systems require that individuals be placed in Earth orbit, despite the imagery describing such operations in fictional universes.

#### No space wars --- orbital bombardment fails, and people can’t be sent to space to fight, which caps escalation

--No space wars – people can’t be placed there because they’re too fragile – mostly just engineer nerds not marines

--0 uq – space has been militarized for awhile and we’ve had a space force under the purview of Air Force Strategic Command

--Physics – objects in orbit move fast, so orbital bombardment is literally impossible and would require huge amountns of weapons

Crane, 18 Leah Crane, Writes for New Scientist, BA in Physics/Astronomy, “The arms race in space,” New Scientist. Vol. 238. April 14, 2018. <https://www.sciencedirect.com/science/article/pii/S0262407918306559>

The US is making noises about beefing up its military presence off planet.

WAR in space is a hot topic in the US government. Last year, Congress considered and rejected a proposal to create a standalone "space force" to deal with threats in orbit, and in March, President Donald Trump brought it up again.

"Space is a war-fighting domain, just like the land, air and sea," Trump said at Marine Corps Air Station Miramar in San Diego. "We should have a new force called the space force. It's like the army and the navy, but for space, because we're spending a lot of money on space."

"We should have a new force called the space force. It's like the army and the navy, but for space"

The Trump administration's position was further detailed last month with the announcement of its national space strategy. It states that US "competitors and adversaries have turned space into a warfighting domain" and promises that any attacks on US space assets will be met with a deliberate response.

They sound like fighting words. But any space war won't be like Star Wars - no humans will zoom around in slick spaceships, death will not rain from the skies and it is unlikely that anything will be blown up.

"It's not fighter jocks, it's not marines, it's not special-operations guys," says Todd Harrison at the Center for Strategic and International Studies in Washington DC. "It's a bunch of engineers sitting in a control centre and sitting in labs. The space domain is going to be dominated by nerds."

We know this, because the US space force already exists. The Air Force Space Command has been around since 1982 and employs more than double the number of people at NASA, the US civilian space agency, to operate and protect military satellites. The space force proposal for Congress wasn't really about creating a new branch of the military, but part of a long-running push to move the space command out from under air force leadership, making space a higher priority.

Plus, sending a human to fight a war in space is simply not efficient. "Humans are fragile and sustaining them in space takes a lot of support," says Laura Grego at the Union of Concerned Scientists in Cambridge, Massachusetts. "The Chinese and the Russians aren't going to send marines to space either, because they know physics too."

Physics also rules out orbital bombardment. Objects in orbit move at high speeds, so aren't over a single spot on the planet for long. That means attacking a specific area at short notice would require placing hundreds of weapons in orbit to ensure one is overhead at the right moment. An aircraft carrier loaded with bombers or ballistic missiles would be much more effective.

#### Deterrence in space solves even if we’re more vulnerable ---

#### 1] Countries know we value our space assets and are willing to practice brinkmanship or escalate horizontally

Harrison, 9 – Director, Eisenhower Center for Space and Defense Studies Ambassador Roger G. Harrison, “Space Deterrence: The Delicate Balance of Risk,” Space and Defense, Volume 3, No. 1. Summer 2009. <http://www.usafa.edu/app/uploads/Space_and_Defense_3_1.pdf>

There are, however, potential mitigating factors. First, an adversary could not be certain that retaliation would be limited to space. Although the threat of escalation is often portrayed as inhibiting rather than empowering U.S. decision makers, that threat would also have to be taken seriously by an adversary. U.S. declaratory policy has always emphasized that retaliation for attacks on vital assets will be of a magnitude and by means of our choosing.38 No rational adversary could rule out a disproportionate response or so called “horizontal escalation” (for example in the cyber domain), especially if his conclusion was the same as ours: that limiting ourselves to space-for-space retaliation would leave the U.S. at a disadvantage. He would also have to take into account the possibility of a less than rational response to his action, perhaps leading to an even more rapid escalation.

The Cold War analogy is brinksmanship, the willingness to escalate unpredictably when vital strategic interests are threatened.

#### 2] No shot of a disarming strike --- we’d maintain BMD and be able to retaliate --- that makes our threats credible

Harrison, 9 – Director, Eisenhower Center for Space and Defense Studies Ambassador Roger G. Harrison, “Space Deterrence: The Delicate Balance of Risk,” Space and Defense, Volume 3, No. 1. Summer 2009. <http://www.usafa.edu/app/uploads/Space_and_Defense_3_1.pdf>

The second mitigating factor is that even in the absence of dedicated ASAT systems, a potential attacker is not likely to perceive the U.S. lacks capability to retaliate against the space assets of an adversary. Many nations perceive existing U.S. ballistic missile defense systems as having a dual-use nature, including potential anti-satellite capability. The U.S. reportedly has an active and acknowledged program of “negation” designed to deny an adversary the use of his space assets as force multipliers in the case of hostilities within the atmosphere. We may safely assume that other nations are pursuing similar programs. In our judgment, the most likely scenario for future space conflict is a “war of negation,” i.e. an attempt by each side to preserve the product of its space assets while denying those space services to the opponent. To win such a contest requires technological superiority, which the U.S. should make every effort to maintain and which, in this area as in others, is a vital element in maintaining space deterrence.

We conclude that the threat of retaliation can remain a credible element of our overall space deterrence. The attribution of attack is not an insuperable obstacle, and that questions of resolve will ultimately depend on the perceptions of a potential attacker in the circumstances existing when his decision to attack is being considered. A credible threat of retaliation may require willingness to escalate into other domains. It could include fielding ASAT systems if such systems are deployed by others, but the resulting arms race would not be in the interests of the United States. The U.S. should not be the first to deploy such systems and the U.S. use the full extent of its influence internationally to avoid that outcome. Ultimately, a threat of retaliation is never more credible than the leader and the government that issues it. No declaratory policy can compensate for an irresolute commander in chief, one who is misinformed or badly served by his subordinates. An opponent will tend to judge the likelihood of retaliation not according to proclamations made months or years earlier, but according to the situation pertaining at the time – as Hitler did in Europe and Saddam did in the Middle East. What a President does in the run up to and conduct of a crisis will have far more to do with an adversaries decisions than libraries full of ultimatums and guarantees. Subordinates who doubt the resolution of a commander will try to limit his or her flexibility to respond other than in ways the subordinates think appropriate. A wise commander in chief, on the other hand, will strive to maintain flexibility, to approach a particular conflict in the context of wider responsibilities, to take account of factors which were unforeseen when the doctrine or battle plan was devised – in short, to balance one risk off against others. No bureaucratic arrangement, declaratory doctrine or weapon capability will compensate when such leadership is not present.

### Collisions

#### Current efforts to remove space debris check.

Weiner 21 (Weiner, Chloee. “New Effort to Clean up Space Junk Reaches Orbit.” NPR, NPR, 22 Mar. 2021, [www.npr.org/2021/03/21/979815691/new-effort-to-clean-up-space-junk-prepares-to-launch.)// DebateDrills](http://www.npr.org/2021/03/21/979815691/new-effort-to-clean-up-space-junk-prepares-to-launch.)//DD)  AY

A demonstration mission to test an idea to clean up space debris launched Monday morning local time from the Baikonur Cosmodrome in Kazakhstan. Known as ELSA-d, the mission will exhibit technology that could help capture space junk, the millions of pieces of orbital debris that float above Earth. The more than 8,000 metric tons of debris threaten the loss of services we rely on for Earth-bound life, including weather forecasting, telecommunications and GPS systems. The spacecraft works by attempting to attach itself to dead satellites and pushing them toward Earth to burn up in the atmosphere. ELSA-d, which stands for End-of-Life Services by Astroscale, will be carried out by a "servicer satellite" and a "client satellite" that launched together, according to Astroscale, the Japan-based company behind the mission. Using a magnetic docking technology, the servicer will release and try to "rendezvous" with the client, which will act as a mock piece of space junk. The mission, which will be run from the U.K., will carry out this catch and release process repeatedly over the course of six months. The goal is to prove the servicer satellite's ability to track down and dock with its target in varying levels of complexity. The spacecraft is not designed to capture dead satellites already in orbit, but rather future satellites that would be launched with compatible docking plates on them. Space junk has been a growing problem for years as human-made objects such as old satellites and spacecraft parts build up in low Earth orbit until they decay, deorbit, explode or collide with other objects, fragmenting into smaller pieces of waste. In 2019, for example, India blew apart one of its satellites orbiting Earth, creating hundreds of pieces of debris that threatened to collide with the International Space Station. According to a recent report by NASA, at least 26,000 of the millions of pieces of space junk are the size of a softball. Orbiting along at 17,500 mph, they could "destroy a satellite on impact." More than 500,000 pieces are a "mission-ending threat" because of their ability to impact protective systems, fuel tanks and spacecraft cabins. And the most common debris, more than 100 million pieces, is the size of a grain of salt and could puncture a spacesuit, "amplifying the risk of catastrophic collisions to spacecraft and crew," the report said. According to NASA, cleaning up space — and addressing the risks associated with debris — depend on preventing the accumulation of more waste and actively removing it. The development of other cleanup technologies has been underway for years. In 2016, Japan's space agency sent a 700-meter tether into space to try to slow down and redirect space junk. In 2018, a device called RemoveDebris successfully cast a net around a dummy satellite. The European Space Agency also plans to send a self-destructing robot into orbit in 2025, which the organization's former director general has referred to as a space "vacuum cleaner." These efforts could prove increasingly important as private space ventures like SpaceX continue to clutter low Earth orbit with a "mega-constellation" of satellites.

#### There’s no space debris impact

Park 18

Ye Joo Park, citing NASA studies on orbital debris, How Dangerous is Space Debris?, Research Association for Interdisciplinary Studies, RAIS Conference Proceedings, November 19-20, 2018, DOI: 10.5281/zenodo.1572516, <https://ssrn.com/abstract=3303541>

Other factors to consider concerning collisions in Space

While it’s true that there are thousands of space objects directly above Earth in an 800-kilometer band, space is so vast that it’s helpful to pause for a moment and reflect... in the area directly above the entire continental U.S., there are typically only three or four items orbiting above 3.1 million square miles. Therefore, the likelihood of collisions between satellites, spacecraft and orbiting objects is very small (NASA 2018).

In fact, in 2013 it was reported that the probability of a collision between an orbiting asset and space debris larger than 1 cm (0.4in.) will be once every 1.5-2 years, according to the Head of the Russian Hall/ History of Space Debris 8 Figure 5 [NASA] Space Agency. This compares with a 2010 estimate giving the likelihood of once every 5 years (Sorokin 2013).

The Feasibility of Practically Reducing Space Debris

Reducing orbital debris is incredibly difficult. Therefore, the most important action that space experts and policy makers currently recommend is to prevent the unnecessary creation of additional orbital debris. This can be done through prudent vehicle design and operations ((UNOOSA 2014).

The International Academy of Astronautics or IAA is a significant, global organization of scientists and space experts from many countries who meet regularly to discuss the importance of space debris as a policy issue. The subject-matter experts of the IAA published their fifth update Situation Report on Space Debris in August 2017 (Bonnal and McKnight 2017). In the executive summary, the IAA reported that if an orbiting satellite impacts with small bits of debris - even as small as 5 mm - the result will be grave, e.g. the collision would likely disrupt or terminate a satellite’s operations (Bonnal and McKnight 2017, 5).

The serious warnings expressed in this conclusion are offset by the positive findings of the IAA that there has been a reduction of the space debris created from the two extraordinary satellite destruction events (2007 and 2009) cited earlier in this paper. According to the IAF report, a large amount of debris from the satellite explosions were frictionally burned when reaching the Earth’s atmosphere after gradually sinking due to the scientific principle of atmospheric drag (in the science of Physics), which is a deterioration in the strength of an orbit because of an object hitting gas molecules in space. Small bits of space junk sink as the orbit gets weaker... then they burn. This is a positive trend “for keeping the short-term collision hazard under control at the lower altitudes (i.e., less than 650 km)” (Bonnal and McKnight 2017, 7).

#### **Military space satelties have already been broken up by space debris – their escalation scenario is absurd**

Wall 21’ Home News Spaceflight Space collision: Chinese satellite got whacked by hunk of Russian rocket in March By Mike Wall published August 17, 2021 We may see more and more of these orbital smashups in the coming years. //RD Debatedrills

Yunhai 1-02's wounds are not self-inflicted. In March, the U.S. Space Force's 18th Space Control Squadron (18SPCS) reported the breakup of Yunhai 1-02, a Chinese military satellite that launched in September 2019. It was unclear at the time whether the spacecraft had suffered some sort of failure — an explosion in its propulsion system, perhaps — or if it had collided with something in orbit. We now know that the latter explanation is correct, thanks to some sleuthing by astrophysicist and satellite tracker Jonathan McDowell, who's based at the Harvard-Smithsonian Center for Astrophysics in Cambridge, Massachusetts. Sponsored Links Cupertino: Startup Is Changing the Way People Retire SmartAsset Related: The worst space debris events of all time Click here for more Space.com videos... CLOSE On Saturday (Aug. 14), McDowell spotted an update in the Space-Track.org catalog, which the 18SPCS makes available to registered users. The update included "a note for object 48078, 1996-051Q: 'Collided with satellite.' This is a new kind of comment entry — haven't seen such a comment for any other satellites before," McDowell tweeted on Saturday. He dove into the tracking data to learn more. McDowell found that Object 48078 is a small piece of space junk — likely a piece of debris between 4 inches and 20 inches wide (10 to 50 centimeters) — from the Zenit-2 rocket that launched Russia's Tselina-2 spy satellite in September 1996. Eight pieces of debris originating from that rocket have been tracked over the years, he said, but Object 48078 has just a single set of orbital data, which was collected in March of this year. "I conclude that they probably only spotted it in the data after it collided with something, and that's why there's only one set of orbital data. So the collision probably happened shortly after the epoch of the orbit. What did it hit?" McDowell wrote in another Saturday tweet. Yunhai 1-02, which broke up on March 18, was "the obvious candidate," he added — and the data showed that it was indeed the victim. Yunhai 1-02 and Object 48078 passed within 0.6 miles (1 kilometer) of each other — within the margin of error of the tracking system — at 3:41 a.m. EDT (0741 GMT) on March 18, "exactly when 18SPCS reports Yunhai broke up," McDowell wrote in another tweet. Thirty-seven debris objects spawned by the smashup have been detected to date, and there are likely others that remain untracked, he added. Despite the damage, Yunhai 1-02 apparently survived the violent encounter, which occurred at an altitude of 485 miles (780 kilometers). Amateur radio trackers have continued to detect signals from the satellite, McDowell said, though it's unclear if Yunhai 1-02 can still do the job it was built to perform (whatever that may be). Space Junk Clean Up: 7 Wild Ways to Destroy Orbital Debris Click here for more Space.com videos... McDowell described the incident as the first major confirmed orbital collision since February 2009, when the defunct Russian military spacecraft Kosmos-2251 slammed into Iridium 33, an operational communications satellite. That smashup generated a whopping 1,800 pieces of trackable debris by the following October. However, we may be entering an era of increasingly frequent space collisions — especially smashups like the Yunhai incident, in which a relatively small piece of debris wounds but doesn't kill a satellite. Humanity keeps launching more and more spacecraft, after all, at an ever-increasing pace. "Collisions are proportional to the square of the number of things in orbit," McDowell told Space.com. "That is to say, if you have 10 times as many satellites, you're going to get 100 times as many collisions. So, as the traffic density goes up, collisions are going to go from being a minor constituent of the space junk problem to being the major constituent. That's just math." We may reach that point in just a few years, he added. The nightmare scenario that satellite operators and exploration advocates want to avoid is the Kessler syndrome — a cascading series of collisions that could clutter Earth orbit with so much debris that our use of, and travel through, the final frontier is significantly hampered. RELATED STORIES — Who's going to fix the space junk problem? — Space junk removal is not going smoothly — The world needs space junk standards, G7 nations agree Our current space junk problem is not that severe, but the Yunhai event could be a warning sign of sorts. It's possible, McDowell said, that Object 48078 was knocked off the Zenit-2 rocket by a collision, so the March smashup may be part of a cascade. "That's all very worrying and is an additional reason why you want to remove these big objects from orbit,"

### Astroterror

#### Incentivizing asteroid mining is essential to advanced asteroid deflection

Keck Institute at Cal Tech 12 -- Asteroid Retrieval Feasibility Study, Keck Institute for Space Studies at CalTech, 2 April 2012, https://kiss.caltech.edu/final\_reports/Asteroid\_final\_report.pdf WJ

An asteroid return mission would bring broader attention to the subject of near-Earth asteroids and therefore greater understanding and attention to the planetary defense challenge element of NEOs.

From a technical standpoint an asteroid return mission would enable significant progress in the following areas relative to planetary defense:

1. Anchoring. Many options for more efficient and capable deflection of NEOs would open up if we develop reliable robotic anchoring capability. The latest time to act prior to impact could be significantly delayed if robust techniques are available. Anchoring is the key to enable many of them.

2. Structural characterization, especially of the surface layers. Kinetic impact is today one of the prime deflection technologies available. Yet its effectiveness is highly uncertain due to the (so called) momentum multiplier (beta) variability. Ejecta (at greater than escape velocity) from a kinetic impact may multiply the impactor momentum transferred to the NEO by a factor from 2-10 or more. Structural characterization of the surface layers may reduce this uncertainty to a factor of 2 or less.

3. Dust environment. The dust environment is expected to be highly variable and object dependent. Nevertheless, understanding the forces triggering dust levitation and settling behavior are important for the gravity tractor (GT) concept in which SEP exhaust impingement on the asteroid could create a dust hazard. As a minimum greater knowledge here would enable more efficient system designs and a better understanding of stand-off requirements.

4. Proximity operations. Techniques for proximity operations and NEO navigation gained from returning an asteroid would be directly transferable to planetary defense planning and implementation.

#### Empirics prove that efforts to mitigate deaths from asteroid collisions is effective – efforts to defend the planet significantly reduce death-by-collision risk

Clemens M. Rumpf ’19, University of Southampton, “Chapter 12 Asteroid Impact Risk Assessment: Rationalizing the Threat”, 2019, Planetary Defense, Space and Society, <https://dl1.cuni.cz/pluginfile.php/634091/mod_resource/content/1/Planetary%20Defence.pdf> \*tables inserted at the end of the card

A major advantage of expressing the asteroid impact hazard in terms of the average annual casualty rates is that the asteroid hazard becomes comparable to other hazards. However, it should be noted early on that the nature of the asteroid hazard differs significantly from the other hazards listed below, insofar as it is generally a very low frequency, yet large consequence event. The statistics about annual asteroid casualties are driven by rare events that might be separated by thousands of years but that may produce significantly higher casualty numbers than the other more common hazards. It is important to keep the low frequency, large consequence nature of the asteroid impact hazard in mind when drawing conclusions from risk comparisons. Before the Spaceguard Survey took effect, the chance of dying from select causes in the USA, including the asteroid impact hazard, was quantified in (Chapman and Morrison 1994) with data from 1994; these numbers are reproduced in Table 12.1. Based on these results, an individual from the United States population has an equal chance of dying from a passenger aircraft accident or from an asteroid impact, based on estimates over long periods of time (meaning that no impact might occur in any given lifespan). Tables 12.1 and 12.2 clearly illustrate the benefit provided by increased asteroid discovery rates. The effect of Spaceguard becomes apparent when data from Table 12.1 is compared with risk estimates after Spaceguard took effect, based on data available in 2008. The chance of dying from an asteroid impact was significantly reduced from 1 in 20,000 before Spaceguard to 1 in 720,000 after Spaceguard, as one could exclude the possibility of most of the larger objects impacting the Earth in the predictable future. In other words, while previously, the fatal asteroid impact risk would have been ranked as comparable to an airplane crash, it was reduced to a similar level as that of a fireworks accident. It should also be mentioned that the differences in risk numbers are not exclusively due to the effect of the Spaceguard Survey but are also due to updated impact consequence estimates and a general change in the external situation (e.g. population size).

TABLE 12.1

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TABLE 12.2

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