### 1AR – Case

#### AT Sample 19 – Yes heritage CAN go too far- Sample says we shouldn’t’ give everything heritage but concludes that we should “limit it to the important ones” like the Apollo sites – you haven’t read spill-over that the Plan would make everything a heritage site so No Link.

#### AT Tillman 19 – Re-cutting says nothing – they says NASA needs Corporations but not that Corporations need NASA which is the I/L to our Lack of Regulations I/L.

#### AT OSTP 18 – This says that heritage sites should be protected while allowing actions on the Moon… We agree actions on the Moon are good but should be around a Keep-Out Zone. Says nowhere that we should allow those companies inside Heritage Sites.

### 1AR—AT: T Governments

#### 1] We meet- just cuz we say private entities ought not that doesn’t mean that private companies ban themselves- that’s incoherent and we specifally delinated Hertzfeld and Pace as our solvency advocate and say that normal means is a multilateral treaty.

#### 2] Don’t vote on this shell- they didn’t even try to get a violation in CX which means I’m not being shifty.

### 1AR – AT: T Outerspace

#### 1] C/I – Outer Space is past 50 miles

Drake 18 [NADIA DRAKE (science journalist and contributing writer at National Geographic. She earned an A.B. in biology, psychology, and dance at Cornell University, worked in a clinical genetics lab at The Johns Hopkins University School of Medicine, then returned to Cornell for her Ph.D. in genetics and development). “Where, exactly, is the edge of space? It depends on who you ask.” National Geographic. PUBLISHED DECEMBER 20, 2018. Accessed 1/22/2022. <https://www.nationalgeographic.com/science/article/where-is-the-edge-of-space-and-what-is-the-karman-line> //Xu]

Ask someone where outer space is, and they’ll probably point at the sky. It’s up, right? Simple. Except, no one really knows where “air space” ends and “outer space” begins. That might sound trivial, but defining that boundary could matter for a variety of reasons—including, but not limited to, which high-flying humans get to be designated as astronauts. Now, with Virgin Galactic seemingly on the cusp of launching paying passengers onto suborbital trajectories, many people are wondering whether those lucky space tourists will earn their astronaut wings. As of right now, they will, according to U.S. practices. Is that a problem? “No, I think it’s great!” says NASA astronaut Mike Massimino, who helped repair the Hubble Space Telescope. Here, we take a look at the ways space is currently defined, the confusion surrounding the demarcation, and what the future might bring. Does it really matter where space starts? International treaties define “space” as being free for exploration and use by all, but the same is not true of the sovereign airspace above nations. The laws governing air space and outer space are different; flying a satellite 55 miles above China is just fine if space begins at 50 miles up, but define the edge at 60 miles, and you might find your satellite being treated as an act of military aggression. “Where does a country’s air space stop and space begin?” asks Jonathan McDowell of the Harvard-Smithsonian Center for Astrophysics. “Once you agree on a boundary of space, you agree on a boundary where space law applies.” However, the United States and some other countries have resisted a formal, international delimitation of space, stating that it’s not necessary and that “no legal or practical problems have arisen in the absence of such a definition.” Others argue that maintaining a distinct boundary will be crucial, given an increase in the number of national space programs and in private spaceflight endeavors that are boosting the amount of suborbital traffic. So, how is “space” currently defined? Broadly, most experts say that space starts at the point where orbital dynamic forces become more important than aerodynamic forces, or where the atmosphere alone is not enough to support a flying vessel at suborbital speeds. EARTH 101 Earth is the only planet known to maintain life. Find out the origins of our home planet and some of the key ingredients that help make this blue speck in space a unique global ecosystem. Historically, it’s been difficult to pin that point at a particular altitude. In the 1900s, Hungarian physicist Theodore von Kármán determined the boundary to be around 50 miles up, or roughly 80 kilometers above sea level. Today, though, the Kármán line is set at what NOAA calls “an imaginary boundary” that’s 62 miles up, or roughly a hundred kilometers above sea level. The Federation Aeronautique Internationale (FAI), which keeps track of standards and records in astronautics and aeronautics, also defines space as beginning a hundred kilometers up. It is, after all, a nice round number. But the Federal Aviation Administration, the U.S. Air Force, NOAA, and NASA generally use 50 miles (80 kilometers) as the boundary, with the Air Force granting astronaut wings to flyers who go higher than this mark. At the same time, NASA Mission Control places the line at 76 miles (122 kilometers), because that is “the point at which atmospheric drag becomes noticeable,” Bhavya Lal and Emily Nightingale of the Science and Technology Policy Institute write in a 2014 review article.

#### The Moon is that.

Grossman 22 David Grossman 1-13-2022 "Literally Everything You Ever Wanted to Know About the Moon" <https://www.popularmechanics.com/space/moon-mars/a28397235/how-far-is-the-moon-from-earth/> (David Grossman is a staff writer for PopularMechanics.com. He's previously written for The Verge, Rolling Stone, The New Republic and several other publications. He's based out of Brooklyn.)//Elmer

🌓 How Far Away Is the Moon From Earth? The moon's distance varies within its orbit. At its apogee, it's 252,088 miles (405,696 kilometers) from Earth. At its perigee, it's closer at 225,623 miles (363,104 kilometers). That works out to an average of 238,855 miles (384,400 kilometers). That's around 60 times the radius of Earth, or enough distance for 30 Earths in between.

#### OST proves – the Moon is considered Outer Space.

DoS 67 1-27-1967 "Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies" <https://2009-2017.state.gov/t/isn/5181.htm> (Department of State)//Elmer

The States Parties to this Treaty, Inspired by the great prospects opening up before mankind as a result of mans entry into outer space, Recognizing the common interest of all mankind in the progress of the exploration and use of outer space for peaceful purposes, Believing that the exploration and use of outer space should be carried on for the benefit of all peoples irrespective of the degree of their economic or scientific development, Desiring to contribute to broad international co-operation in the scientific as well as the legal aspects of the exploration and use of outer space for peaceful purposes, Believing that such co-operation will contribute to the development of mutual understanding and to the strengthening of friendly relations between States and peoples, Recalling resolution 1962 (XVIII), entitled "Declaration of Legal Principles Governing the Activities of States in the Exploration and Use of Outer Space," which was adopted unanimously by the United Nations General Assembly on 13 December 1963, Recalling resolution 1884 (XVIII), calling upon States to refrain from placing in orbit around the Earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction or from installing such weapons on celestial bodies, which was adopted unanimously by the United Nations General Assembly on 17 October 1963, Taking account of United Nations General Assembly resolution 110 (II) of 3 November 1947, which condemned propaganda designed or likely to provoke or encourage any threat to the peace, breach of the peace or act of aggression, and considering that the aforementioned resolution is applicable to outer space, Convinced that a Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, will further the Purposes and Principles of the Charter of the United Nations, Have agreed on the following: Article I The exploration and use of outer space, including the moon and other celestial bodies, shall be carried out for the benefit and in the interests of all countries, irrespective of their degree of economic or scientific development, and shall be the province of all mankind. Outer space, including the moon and other celestial bodies, shall be free for exploration and use by all States without discrimination of any kind, on a basis of equality and in accordance with international law, and there shall be free access to all areas of celestial bodies. There shall be freedom of scientific investigation in outer space, including the moon and other celestial bodies, and States shall facilitate and encourage international co-operation in such investigation.

#### Outweighs – a] Intent to Include – best for determining contextual violations since any definition can be used to arbitrarily exclude anything out of context – causes infinite collapsing of ground since no evidentiary baseline and b] Legality – our definition comes from the literal OST – outweighs on Expertise which has an I/L to Topic Education and Jurisdiction since your definition is from a Newsletter.

#### Their interp is Over-limiting – the topic is already so small – it’s the Moon, Asteroid Mining, Megaconstellations, and Space Colonization – their topic is one Aff, Satellites, since Space Colonization relies on Mars and Asteroids are “Celestial” - that stifles Aff Innovation – outweighs since Aff Innovation is the driver of Topic Innovation that forces Critical Thinking and Portable Skills.

#### Ground controls Limits Offense – Four Affs means Advantage Ground proves Generics apply like Appropriation Subsects Bad regardless of the object of Outer Space which answers Generics.

### 1AR – AT: Artemis DA

#### 1] No Link – Aff doesn’t require an amendment to laws – 1NC Salter is about Debris Removal that requires National Action in violation of the OST which requires amendments – there are no laws that govern Lunar Heritage meaning there’s nothing that requires amending.

#### 3] No I/L – nowhere does it say that the US would push the Artemis Accords in actual I-Law – a] the bilateral part is about Space Mining not Artemis writ-large, b] they’re pushing NOW – no reason Space Law opening up makes countries MORE LIKELY to accept since the countries who don’t want it are China and Russia, and c] if it was in I-Law THEN it wouldn’t’ be Bilateral which resolves the Impact scenario.

#### 4] No I/L U/Q – Countries are already pursuing factional space planning – the Artemis Accords already exist and China and Russia cooperate – there’s no reason Artemis uniquely triggers.

#### 5] Turn - Artemis Accords establish Lunar Governance which stops resource conflicts.

Elvis et al 21 Elvis, Martin, Alanna Krolikowski, and Tony Milligan. "Concentrated lunar resources: imminent implications for governance and justice." Philosophical Transactions of the Royal Society A 379.2188 (2021): 20190563. //Elmer

3. Disputes over ‘potentially harmful interference’ If conflicts over lunar resources arise in the coming decade, as seems probable, they will incentivize searches for creative interpretations of the only applicable treaty with broad international recognition, the 1967 Outer Space Treaty (OST) [47]. More specifically, they may invite creative interpretations of Article II’s explicit statement that ‘Outer space, including the Moon and other celestial bodies, is not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means’. While the letter and the spirit of the Treaty prohibit formal appropriation, some of its provisions may in fact enable unexpected forms of de facto appropriation. In particular, Article IX introduces the principle of parties’ ‘due regard’ for the activities of other parties. The Treaty also states that, if a party’s activity could cause ‘potentially harmful interference with activities of other States’, parties can enter in consultations to address the matter. These concepts have enduring relevance. A statement of principles for the Artemis Accords, an architecture of bilateral agreements for lunar cooperation proposed by the United States in 2020, reaffirms commitment to Article IX and emphasizes a duty for parties to coordinate with and notify each in order to prevent interference [48]. These provisions in view, we recognize that parties could invoke their research activities to seek the exclusion from nearby areas of others whose activities present interference risks. At minimum, where significant resources are at stake, it seems likely that disputes over expectations and the practical meaning of ‘due regard’ will arise and require resolution. No mechanism for resolving such disputes currently exists. We argue here that our previous work on the Peaks of Eternal Light [3], identifying the likelihood of competition for this limited resource, is not a special case. Disputes over entitlements to access and entitlements to exclude, in order to prevent ‘potentially harmful interference,’ will apply in many cases, independent of the local resources or the lack thereof. But they are especially likely to occur at, or near to, the strategically valuable locations where lunar resources happen to be concentrated.

### 1AR – AT: CIL CP

#### 1] Perm – Do the CP – Plan doesn’t defend Enforcement other than Private Actors stopping Appropriation of Lunar Heritage – this means the CP is Plan-Plus – they have card zero actually explaining normal means for what it means for private actors to be the agents of the plan.

#### 1NC Hitchens and Nebehay are horrible – they give individual isolated incidents about what countries want but none about how all actions would be done – you shouldn’t let them grand-stand or extrapolate on horrible evidence in the 2NR.

#### Theoretical Justifications make zero sense – not taking a stand doesn’t force us onto what they want since it’s an Extra-Resolutional Burden – grant us the Perm instead.

#### 2] Perm – Do Both – Shields the Link since either a] CIL limits Scope which prevents a runaway overhaul that spills over into broad I-Law shielding the Link OR b] It causes a complete overhaul since their Link doesn’t assume the CIL/Normal Law Distinction.

#### 3] Can’t Solve – Non-Binding – countries break I-Law all the time or else things like Genocide or Guantanamo Bay wouldn’t happen

#### 4] Yes Consensus – 1NC Koplow is about ASATs – 1AC Hertzfeld and Pace are fantastic about how Multilateral Agreements are mutually beneficial over Lunar Heritage.