# 1NC Lexington Round 1

## 1

### DA

#### OST Credibility is high now – no violations.

Stuart 17 Jill Stuart 1-27-2017 "The Outer Space Treaty has been remarkably successful – but is it fit for the modern age?" <https://theconversation.com/the-outer-space-treaty-has-been-remarkably-successful-but-is-it-fit-for-the-modern-age-71381> (Visiting Fellow, Department of Government, London School of Economics and Political Science)//Elmer

Space exploration is governed by a complex series of international treaties and agreements which have been in place for years. The first and probably most important of them celebrates its 50th anniversary on January 27 – The Outer Space Treaty. This treaty, which was signed in 1967, was agreed through the United Nations, and today it remain as the “constitution” of outer space. It has been signed and made official, or ratified, by 105 countries across the world. The treaty has worked well so far but challenges have increasingly started to crop up. So will it survive another 50 years? The Outer Space Treaty, like all international law, is technically binding to those countries who sign up to it. But the obvious lack of “space police” means that it cannot be practically enforced. So a country, individual or company could simply ignore it if they so wished. Implications for not complying could include sanctions, but mainly a lack of legitimacy and respect which is of importance in the international arena. However it is interesting that, over the 50 years of it’s existence, the treaty has never actually been violated. Although many practical challenges have been made – these have always been made with pars of the treaty in mind, rather than seeking to undermine it entirely.

#### Normal Means requires amending the OST – that causes a runaway amendment convention.

Vedda 18 Jim Vedda May 2018 <https://aerospace.org/sites/default/files/2018-05/OuterSpaceTreaty.pdf> (senior policy analyst, PhD in Political Science at University of Florida)//Elmer

Treaty Amendment. If decisionmakers conclude that the Outer Space Treaty isn’t broken but is just showing its age, targeted changes are an obvious solution—especially in the areas of orbital debris, space salvage, and resource rights, as noted earlier; however, the process of reaching consensus on changes would entail years of diplomatic effort, with no guarantee that the end result would be better than (or as good as) what exists today. The amendment process may not remain limited to the one or two issues that prompted it. The U.N. Committee on the Peaceful Uses of Outer Space has 84 member countries,11 any of which could bring up its own amendments, which could be objectionable to the major stakeholders. Several countries, including China and Russia, have proposed treaty language that would ban all weapons in space,12 a position opposed by the United States. There is a strong possibility that similar language would be submitted as an amendment if the treaty were to be opened for revision. This could bog down the process and derail prospects for achievement in the specific areas originally targeted. In May 2017, the Senate space subcommittee held a hearing on the Outer Space Treaty,13 specifically asking whether it needed amendment to remove roadblocks to space commerce. All seven witnesses—with backgrounds in law, business consulting, and space entrepreneurship—testified that there is no need to amend the treaty, and attempting to do so could leave industry worse off. They described the treaty as minimally burdensome, and emphasized that priority should be given instead to making the U.S. licensing and regulation regime for space commerce more stable, predictable, and transparent. This is not to suggest that amendments should never be attempted, but rather that the amendment process must be undertaken with eyes wide open. The Outer Space Treaty and other space agreements exist in a dynamic environment. Technology continues to advance, and the amount and type of space activity keeps changing— so treaties may need periodic updating. But at present, higher priority should be assigned to development of a well-reasoned and comprehensive national space strategy.

#### That wrecks the OST.

Melroy 17 Pamela Melroy 5-23-2017 “Reopening the American Frontier: Exploring How the Outer Space Treaty Will Impact American Commerce and Settlement in Space” <https://www.hsdl.org/?abstract&did=807259> (Retired NASA Astronaut)//Elmer

There are many exciting activities and proposals in commercial space. With respect to the Outer Space Treaty, I am deeply concerned that we would be opening a Pandora’s Box by attempting to change it. My concern is that the likely outcome would be a lack of consensus, resulting in no amendments. Instead, we will have a weakened dedication to the Principles of the Treaty and the sustainability of space. Great changes are occurring and many countries are developing capabilities that previously were the purview of only a few nation states. Our ability to compete both economically and technologically in space is crucial. These Principles form the basis for the dialog that we have with other countries about what is appropriate and what is not. Without them, the dialog becomes chaos.

#### Credible OST solves Space War.

Johnson 17 Christopher Johnson 1-23-2017 “The Outer Space Treaty at 50”, <http://thespacereview.com/article/3155/1> (graduate of Leiden University’s International Institute of Air and Space Law and the International Space University)//Elmer

As mentioned, many of the provisions of the Outer Space Treaty were borrowed from previous UN General Assembly resolutions. But as resolutions alone, these documents were non-binding and did not require states to alter their behavior. And while UN General Assembly resolutions are not normally law-making exercises, they do record the commonly-held expression of intentions by the states in the General Assembly, and make political recommendations to UNGA Members (or to the UN Security Council). UNGA Resolutions can also set priorities and mold opinion for inclusion in subsequent treaties. The prohibition on the placement of nuclear weapons and other weapons of mass destruction in outer space or their installation on celestial bodies was taken from UNGA Resolution 1884 of 1963. The resolution: [s]olemnly calls upon all States… [t]o refrain from placing in orbit around the earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, installing such weapons on celestial bodies, or stationing such weapons in outer space in any other manner. This prohibition was transferred to the Outer Space Treaty, and thereby remade into international treaty law. As President Johnson pointed out in his recommendation to Congress to ratify the Outer Space Treaty, “the realms of space should forever remain realms of peace.”5 He continued: We know the gains of cooperation. We know the losses of the failure to cooperate. If we fail now to apply the lessons we have learned, or even if we delay their application, we know that the advances into space may only mean adding a new dimension to warfare. If, however, we proceed along the orderly course of full cooperation we shall, by the very fact of cooperation, make the most substantial contribution toward perfecting peace.6 The agreement contained in Article IV of the Outer Space Treaty reflects an agreement between the US and the USSR, as obligations restricting their freedom of action. Why would a state intentionally place a restriction on itself? Isn’t it better to merely keep outer space as unregulated as possible? Since there were only two states then capable of venturing into outer space, why did either state agree to rules governing its actions? It may seem counterintuitive, but the deeper rationale behind security arrangements like this is that the parties actually benefit in the long-term from placing mutual restrictions on their behavior. Agreeing to restrict your freedom of action has deep links to the usefulness or utility of law itself. Consider driving a car: in order to get a license, you agree to observe certain rules, and the license signals your obligation to obey these rules. However, sometimes adhering to those rules is not only inconvenient (such as stopping at stop signs when there’s nobody else at the intersection), it is also against your short term-interests (you have an appointment or will otherwise suffer from observing the rules.) However, agreeing to operate within a system where your freedoms are sometimes restricted can have the effect of actually increasing your freedom over the long term. Wouldn’t you rather live in a state where traffic laws exist, and other drivers agree to observe them? Isn’t that system preferable to living in a state without traffic rules? Indeed, a system with traffic rules increases not just freedom in general, but overall safety and orderliness. Consequently, because the system with rules is preferable to the system without rules, your willingness to use the roads allows you to travel with greater security and ease. You are better assured of the likelihood that you will get to your intended destination without some other driver crashing into you. Knowing that safe travel is likely, you are more willing to take trips more often, and to farther destinations. Your freedom is actually increased over the long term because you are willing to suffer temporary, short-term restrictions such as inconvenient red lights. Long-term rationality warrants adherence to efficient systems of law. Correctly-balanced rules help increase long-term benefits (like safety and security) that would otherwise be unattainable without a system of rules. It is this rationale that also underpins international treaty-making. Today, the current absence of nuclear weapons or other weapons of mass destruction in outer space attests to the bargain struck in the Outer Space Treaty being a successful one, where security (and the liberty and freedom possible with security) were furthered by the mutual exchange of restrictions that states placed upon themselves. The more than 50 years of peaceful uses of outer space, including cooperation between states who remain rivals elsewhere, are the rich long-term gains resulting from the Outer Space Treaty.

#### Space War cause Nuclear War.

Gallagher 15 “Antisatellite warfare without nuclear risk: A mirage” <http://thebulletin.org/space-weapons-and-risk-nuclear-exchanges8346> (interim director of the Center for International and Security Studies in Maryland, previous Executive Director of the Clinton Administration’s CTBT Treaty Committee, an arms control specialist at the State Dept., and a faculty member at Wesleyan)//Elmer

In recent decades, however, as space-based reconnaissance, communication, and targeting capabilities have become integral elements of modern military operations, strategists and policy makers have explored whether carrying out antisatellite attacks could confer major military advantages without increasing the risk of nuclear war. In theory, the answer might be yes. In practice, it is almost certainly no. Hyping threats. No country has ever deliberately and destructively attacked a satellite belonging to another country (though nations have sometimes interfered with satellites' radio transmissions). But the United States, Russia, and China have all tested advanced kinetic antisatellite weapons, and the United States has demonstrated that it can modify a missile-defense interceptor for use in antisatellite mode. Any nation that can launch nuclear weapons on medium-range ballistic missiles has the latent capability to attack satellites in low Earth orbit. Because the United States depends heavily on space for its terrestrial military superiority, some US strategists have predicted that potential adversaries will try to neutralize US advantages by attacking satellites. They have also recommended that the US military do everything it can to protect its own space assets while maintaining a capability to disable or destroy satellites that adversaries use for intelligence, communication, navigation, or targeting. Analysis of this sort often exaggerates both potential adversaries’ ability to destroy US space assets and the military advantages that either side would gain from antisatellite attacks. Nonetheless, some observers are once again advancing worst-case scenarios to support arguments for offensive counterspace capabilities. In some other countries, interest in space warfare may be increasing because of these arguments. If any nation, for whatever reason, launched an attack on a second nation's satellites, nuclear retaliation against terrestrial targets would be an irrational response. But powerful countries do sometimes respond irrationally when attacked. Moreover, disproportionate retaliation following a deliberate antisatellite attack is not the only way in which antisatellite weapons could contribute to nuclear war. It is not even the likeliest way. As was clearly understood by the countries that negotiated the Outer Space Treaty, crisis management would become more difficult, and the risk of inadvertent deterrence failure would increase, if satellites used for reconnaissance and communication were disabled or destroyed. But even if the norm against attacking another country’s satellites is never broken, developing and testing antisatellite weapons still increase the risk of nuclear war. If, for instance, US military leaders became seriously concerned that China or Russia were preparing an antisatellite attack, pressure could build for a pre-emptive attack against Chinese or Russian strategic forces. Should a satellite be struck by a piece of space debris during a crisis or a low-level terrestrial conflict, leaders **might mistakenly assume that a space war had begun and retaliate before they knew what had actually happened.** Such scenarios may seem improbable, but they are no more implausible than the scenarios that are used to justify the development and use of antisatellite weapons.

# 2

### DA

#### Space Commercialization drives Tech Innovation in the Status Quo – it provides a unique impetus.

Hampson 17 Joshua Hampson 1-25-2017 “The Future of Space Commercialization” <https://republicans-science.house.gov/sites/republicans.science.house.gov/files/documents/TheFutureofSpaceCommercializationFinal.pdf> (Security Studies Fellow at the Niskanen Center)//Elmer

The size of the space economy is far larger than many may think. In 2015 alone, the global market amounted to $323 billion. Commercial infrastructure and systems accounted for 76 percent of that 9 total, with satellite television the largest subsection at $95 billion. The global space launch market’s 10 11 share of that total came in at $6 billion dollars. It can be hard to disaggregate how space benefits 12 particular national economies, but in 2009 (the last available report), the Federal Aviation Administration (FAA) estimated that commercial space transportation and enabled industries generated $208.3 billion in economic activity in the United States alone. Space is not just about 13 satellite television and global transportation; while not commercial, GPS satellites also underpin personal navigation, such as smartphone GPS use, and timing data used for Internet coordination.14 Without that data, there could be problems for a range of Internet and cloud-based services.15 There is also room for growth. The FAA has noted that while the commercial launch sector has not grown dramatically in the last decade, there are indications that there is latent demand. This 16 demand may catalyze an increase in launches and growth of the wider space economy in the next decade. The Satellite Industry Association’s 2015 report highlighted that their section of the space economy outgrew both the American and global economies. The FAA anticipates that growth to 17 continue, with expectations that small payload launch will be a particular industry driver.18 In the future, emerging space industries may contribute even more the American economy. Space tourism and resource recovery—e.g., mining on planets, moons , and asteroids—in particular may become large parts of that industry. Of course, their viability rests on a range of factors, including costs, future regulation, international problems, and assumptions about technological development. However, there is increasing optimism in these areas of economic production. But the space economy is not just about what happens in orbit, or how that alters life on the ground. The growth of this economy can also contribute to new innovations across all walks of life. Technological Innovation Innovation is generally hard to predict; some new technologies seem to come out of nowhere and others only take off when paired with a new application. It is difficult to predict the future, but it is reasonable to expect that a growing space economy would open opportunities for technological and organizational innovation. In terms of technology, the difficult environment of outer space helps incentivize progress along the margins. Because each object launched into orbit costs a significant amount of money—at the moment between $27,000 and $43,000 per pound, though that will likely drop in the future —each 19 reduction in payload size saves money or means more can be launched. At the same time, the ability to fit more capability into a smaller satellite opens outer space to actors that previously were priced out of the market. This is one of the reasons why small, affordable satellites are increasingly pursued by companies or organizations that cannot afford to launch larger traditional satellites. These small 20 satellites also provide non-traditional launchers, such as engineering students or prototypers, the opportunity to learn about satellite production and test new technologies before working on a full-sized satellite. That expansion of developers, experimenters, and testers cannot but help increase innovation opportunities. Technological developments from outer space have been applied to terrestrial life since the earliest days of space exploration. The National Aeronautics and Space Administration (NASA) maintains a website that lists technologies that have spun off from such research projects. Lightweight 21 nanotubes, useful in protecting astronauts during space exploration, are now being tested for applications in emergency response gear and electrical insulation. The need for certainty about the resiliency of materials used in space led to the development of an analytics tool useful across a range of industries. Temper foam, the material used in memory-foam pillows, was developed for NASA for seat covers. As more companies pursue their own space goals, more innovations will likely come from the commercial sector. Outer space is not just a catalyst for technological development. Satellite constellations and their unique line-of-sight vantage point can provide new perspectives to old industries. Deploying satellites into low-Earth orbit, as Facebook wants to do, can connect large, previously-unreached swathes of 22 humanity to the Internet. Remote sensing technology could change how whole industries operate, such as crop monitoring, herd management, crisis response, and land evaluation, among others. 23 While satellites cannot provide all essential information for some of these industries, they can fill in some useful gaps and work as part of a wider system of tools. **Space infrastructure**, in helping to change how people connect and perceive Earth, could help **spark innovations on the ground as well**. These innovations, changes to global networks, and new opportunities could lead to wider **economic growth**.

#### Extinction outweighs and Innovation solves it

Matthews 18 Dylan Matthews 10-26-2018 “How to help people millions of years from now” <https://www.vox.com/future-perfect/2018/10/26/18023366/far-future-effective-altruism-existential-risk-doing-good> (Co-founder of Vox, citing Nick Beckstead @ Rutgers University)//Re-cut by Elmer

If you care about improving human lives, you should overwhelmingly care about those quadrillions of lives rather than the comparatively small number of people alive today. The 7.6 billion people now living, after all, amount to less than 0.003 percent of the population that will live in the future. It’s reasonable to suggest that those quadrillions of future people have, accordingly, hundreds of thousands of times more moral weight than those of us living here today do. That’s the basic argument behind Nick Beckstead’s 2013 Rutgers philosophy dissertation, “On the overwhelming importance of shaping the far future.” It’s a glorious mindfuck of a thesis, not least because Beckstead shows very convincingly that this is a conclusion any plausible moral view would reach. It’s not just something that weird utilitarians have to deal with. And Beckstead, to his considerable credit, walks the walk on this. He works at the Open Philanthropy Project on grants relating to the far future and runs a charitable fund for donors who want to prioritize the far future. And arguments from him and others have turned “long-termism” into a very vibrant, important strand of the effective altruism community. But what does prioritizing the far future even mean? The most literal thing it could mean is preventing human extinction, to ensure that the species persists as long as possible. For the long-term-focused effective altruists I know, that typically means identifying concrete threats to humanity’s continued existence — like unfriendly artificial intelligence, or a pandemic, or global warming/out of control geoengineering — and engaging in activities to prevent that specific eventuality. But in a set of slides he made in 2013, Beckstead makes a compelling case that while that’s certainly part of what caring about the far future entails, approaches that address specific threats to humanity (which he calls “targeted” approaches to the far future) have to complement “broad” approaches, where instead of trying to predict what’s going to kill us all, you just generally try to keep civilization running as best it can, so that it is, as a whole, well-equipped to deal with potential extinction events in the future, not just in 2030 or 2040 but in 3500 or 95000 or even 37 million. In other words, caring about the far future doesn’t mean just paying attention to low-probability risks of total annihilation; it also means acting on pressing needs now. For example: We’re going to be better prepared to prevent extinction from AI or a supervirus or global warming if society as a whole makes a lot of scientific progress. And a significant bottleneck there is that the vast majority of humanity doesn’t get high-enough-quality education to engage in scientific research, if they want to, which reduces the **odds that we have enough trained scientists to come up with the breakthroughs** we need as a civilization to survive and thrive. So maybe one of the best things we can do for the far future is to improve school systems — here and now — to harness the group economist Raj Chetty calls “lost Einsteins” (potential innovators who are thwarted by poverty and inequality in rich countries) and, more importantly, the hundreds of millions of kids in developing countries dealing with even worse education systems than those in depressed communities in the rich world. What if living ethically for the far future means living ethically now? Beckstead mentions some other broad, or very broad, ideas (these are all his descriptions): Help make computers faster so that people everywhere can work more efficiently Change intellectual property law so that technological innovation can happen more quickly Advocate for open borders so that people from poorly governed countries can move to better-governed countries and be more productive Meta-research: improve incentives and norms in academic work to better advance human knowledge Improve education Advocate for political party X to make future people have values more like political party X ”If you look at these areas (economic growth and technological progress, access to information, individual capability, social coordination, motives) a lot of everyday good works contribute,” Beckstead writes. “An implication of this is that a lot of everyday good works are good from a broad perspective, even though hardly anyone thinks explicitly in terms of far future standards.” Look at those examples again: It’s just a list of what normal altruistically motivated people, not effective altruism folks, generally do. Charities in the US love talking about the lost opportunities for innovation that poverty creates. Lots of smart people who want to make a difference become scientists, or try to work as teachers or on improving education policy, and lord knows there are plenty of people who become political party operatives out of a conviction that the moral consequences of the party’s platform are good. All of which is to say: Maybe effective altruists aren’t that special, or at least maybe we don’t have access to that many specific and weird conclusions about how best to help the world. If the far future is what matters, and generally trying to make the world work better is among the best ways to help the far future, then effective altruism just becomes plain ol’ do-goodery.

## 3

### CP

#### Counterplan text: The Committee on the Peaceful use of Outer Space ought to establish an application system for property rights on celestial bodies. Applications and approval of property rights should be granted upon the condition of

#### Open disclosure of data gathered in the exploration of a celestial body

#### Applications must be publicly announced

#### Property Rights will be made tradeable between private entities

#### Property Rights will be set to expire on the conclusion of a successful extraction mission

#### Private Entities will only be allowed one property right grant per celestial body and cannot have more than one grant at a time

#### The counterplan establishes international norms for safe extraction of resources on celestial bodies while increasing R&D in outer space.

**Steffen 21** [Olaf Steffen, Olaf is a scientist at the Institute of Composite Structures and Adaptive Sytems at the German Aerospace Center. 12-2-2021, "Explore to Exploit: A Data-Centred Approach to Space Mining Regulation," Institute of Composite Structures and Adaptive Systems, German Aerospace Center, [https://www.sciencedirect.com/science/article/pii/S0265964621000515 accessed 12/12/21](https://www.sciencedirect.com/science/article/pii/S0265964621000515%20accessed%2012/12/21)] Adam

4. The data-centred approach to space mining regulation 4.1. Core description of the regulatory regime and mining rights acquisition process The data gathered in the exploration of a [celestial body](https://www.sciencedirect.com/topics/social-sciences/astronomical-systems) is not only of value for space mining companies for informing them whether, where and how to exploit resources from the body in question, but also for science. The irretrievability of information relating to the solar system contained in the body that will be lost during resource exploitation carries a value for humanity and future generations and can thus be assigned the characteristic of a common heritage for all mankind as invoked in the Moon Agreement. This characteristic makes exploration data an exceptional and unique candidate for use in a mechanism for acquiring mining rights because its preservation is of public interest and its disclosure in exchange for exclusive mining rights does not place any additional burden on the mining company. The following principles would form the cornerstones of the proposed regulatory regime and rights acquisition mechanism based on exploration data: Without preconditions, no entity has a right to mine the resources of a celestial body. An international regulatory body administers the existing rights of companies for mining a specific celestial body. Mining rights to such bodies can be applied for from this international regulatory body, with applications made public. The application expires after a pre-set period. Mining rights are granted on the provision and disclosure of exploration data on the celestial body within the pre-set period, proposedly gathered in situ, characterising this body and its resources in a pre-defined manner. The explorer's mining right to the resources of the celestial body is published by the regulatory body in a mining rights grant. The data concerning the celestial body are made public as part of the rights grant within the domain of all participating members of the regulatory regime. The exclusive mining rights to any specific body are tradeable. The scope of the regulatory body with respect to the granting of mining rights is not revenue-oriented. The international regulatory body would thus act as a curator of a rights register and an attached database of exploration data. The concept is superficially comparable to patent law, where exclusive rights are granted following the disclosure of an invention to incentivise the efforts made in the development process. In the following section, the characteristics of such a regulatory regime are further discussed with respect to the formation of [monopolies](https://www.sciencedirect.com/topics/social-sciences/monopolies), market dynamics, conflict avoidance, inclusivity towards less developed countries and the viability of implementation. 4.2. Discussion and means of implementation The proposed regulatory mechanism has advantages both from a business/investor and society perspective. First, it prevents already highly capitalised companies from acquiring exploitation rights in bulk to deny competitors those objects that are easiest to exploit or most valuable, which would otherwise be possible in any kind of pay-for-right mechanism and could result in preventing market access to smaller, emerging companies. Thus, early monopoly formation can be avoided. The use of data disclosure for the granting of mining rights ensures the scientific community has access to this invaluable source of information. In this way, space mining prospecting missions can lead to a boost in research on small celestial bodies at a speed unmatchable by pure government/agency funded science probes. This usefulness to the scientific community could lead to sustained partnerships between prospecting companies and scientific institutions and could even provide a source of funding for the companies through R&D grants and public-private partnerships. The results of the exploration efforts contribute to research on the formation of planets and the history of the solar system and provide valuable insight for space defence against asteroids. The transition of exploration from a tailored mission profile with a purpose-built spacecraft to a standard task in space flight would also lead to a cost reduction of the respective exploration spacecraft through [economies of scale](https://www.sciencedirect.com/topics/social-sciences/economies-of-scale). This describes the very benefits Elvis [[24](https://www.sciencedirect.com/science/article/pii/S0265964621000515#bib24)] and Crawford [[25](https://www.sciencedirect.com/science/article/pii/S0265964621000515#bib25)] imagined as possible effects of a space economy. Thus, there is an immediate return for society from the exploitation rights grant. It also reconciles the adverse interests of space development and [space science](https://www.sciencedirect.com/topics/social-sciences/space-sciences) as laid out by Schwartz [[26](https://www.sciencedirect.com/science/article/pii/S0265964621000515#bib26)]. It ensures that, by exploitation, information contained in celestial bodies is not lost for future generations.The application period should not be set in a manner that creates a situation that can be abused through the potential for stockpiling inventory rights. Rather, it is intended to prevent conflict in the phase before exploration data gathered by a mission, as a prerequisite to the mining rights grant, is available. In other words, only one exploration effort at a time can be permitted for a specific body. The time frame between the application and the granting of mining rights (meaning: availability of the required exploration data set) should be tight and should only consider necessary exploration time on site, transit time and possibly a reasonable launch preparation and data processing markup. These contributors to the application period make it clear that the time frame could be dynamic and individualistic, depending on the exploration target (transit time and duration of exploration) and the technology of the exploration probe (transit time). After the expiration of the application period, applications for the exploration target would again be permissible. To prevent the previously mentioned stockpiling of inventory rights, credible proof of an imminent exploration intention would need to be part of the application process, for example, a fixed launch contract or the advanced build status of the exploration probe. Such a mechanism would not contradict the statement in the OST that outer space shall be free for both exploration and scientific investigation. Applications would not apply to purely scientific exploration. An application would only be necessary as a prerequisite for mining. Even resource prospecting could take place without an application (for whatever reason), with a subsequent application comprising in situ data already gathered. For such cases, the application process would need to provide a short period for objections to enable the secretive explorer to make their efforts public. The publication of the application for the mining rights, which is nothing more than a statement of intention to explore, thus provides a strong measure for avoiding conflict. The transparency of where exploration spacecraft are located and, at a later stage, where mining activities take place, provides additional benefits for the sustainable use of space, trust building and deterrence against malign misuse of mining technology. Involuntary spacecraft collisions of competitors in deep space are prevented by the reduction of exploration efforts at the same destination through the application for mining rights by one applicant at a time. As pointed out by Newman and Williamson [[20](https://www.sciencedirect.com/science/article/pii/S0265964621000515#bib20)], this is relevant because space debris does not de-orbit in deep space as in the case of LEO. Deep space may be vast, but the velocities involved mean that small debris particles are no less dangerous. Considering NEO mining with fleets of small spacecraft, malfunctions and/or destructive events could create debris clouds crossing Earth's orbit around the sun on a regular basis, presenting another danger to satellites in Earth's own orbit. Thus, by effectively preventing the collision of two spacecraft, one source of debris creation can be mitigated through this regulation mechanism. With respect to Deudney's [[11](https://www.sciencedirect.com/science/article/pii/S0265964621000515#bib11)] scepticism of asteroid mining and the dual-use character of technology to manipulate orbits of celestial bodies, it has to be stated that this potential is truly inherent to asteroid mining. An asteroid redirect mission for scientific purposes was pursued by NASA [[49](https://www.sciencedirect.com/science/article/pii/S0265964621000515#bib49)] before reorientation towards a manned lunar mission. In one way or another, each type of asteroid mining will require the delivery of the targeted resource to a destination via a comparable technology as formerly envisioned by NASA, be it as a raw material or a useable resource processed in situ, even if this is not necessarily done through redirecting the whole asteroid and placing it in a lunar orbit. However, to be misused as a weapon, space mined resources would have to surpass a certain mass threshold to survive atmospheric entry at the target. This seems unfeasible for currently discussed mining concepts using small-scale spacecraft as described in this article. Redirecting larger masses or whole asteroids would require far more powerful mining vessels or small amounts of thrust over long periods of time. The continuous, (for a mining activity) untypical change in the orbit of an asteroid would make a redirect attempt with hostile intent easily identifiable, effectively deterring such an activity in the first place by ensuring the identification of the aggressor long before the projectile hits its target. The proposed database would provide a catalogue of asteroids with exploration and mining activities in place that should be tracked more closely because of their interaction with spacecraft. This would, in fact, be necessary per se as a precaution to avoid catastrophic mishaps, such as the accidental change of a NEO's orbit to intercept Earth by changing its mass through mining.

#### Space mining fails now due to profitability and unsafe tech which only the cp solves

**Steffen 21** [Olaf Steffen, Olaf is a scientist at the Institute of Composite Structures and Adaptive Sytems at the German Aerospace Center. 12-2-2021, "Explore to Exploit: A Data-Centred Approach to Space Mining Regulation," Institute of Composite Structures and Adaptive Systems, German Aerospace Center, [https://www.sciencedirect.com/science/article/pii/S0265964621000515 accessed 12/12/21](https://www.sciencedirect.com/science/article/pii/S0265964621000515%20accessed%2012/12/21)] Adam

The data-driven mechanism also addresses another potential risk of an emerging space-based resource economy: the reinforcing of the incontestable market positions of the market leaders based on an advantage in knowledge unattainable by new competitors. Explorations of celestial bodies will have a likelihood of failing from the perspective of the actual value of the explored object vs. the expected value. In this case, the costs of exploration would be a loss for the company, which could be significant and possibly ruinous considering the budgets needed for contemporary space agency-led exploration missions. Sanchez and McInnes [[5](https://www.sciencedirect.com/science/article/pii/S0265964621000515#bib5)] explicitly mention the uncertainties in object distribution models used in their asteroid distribution study and for the conclusions drawn concerning reachable object masses with certain delta-v capabilities of spacecraft. With an increasing number of exploration missions led by a company, the data collected may lead to better in-house models and a higher probability of exploring the ‘right’ body for the value/resources aimed at. This may even provide information on the best spacecraft designs for matching the targeted objects’ orbit distribution. This risk is known from the digital platform economy, where the companies that are now leading have an uncatchable advantage in user data compared with market newcomers, translatable to a more refined and comfortable user experience, attracting additional users and thus offering superior services to business customers. This also holds true for space mining companies. Through their lack of legacy mission data, market newcomers would have a higher risk of misallocating exploration missions, making investments in those companies riskier than in established companies. To avoid the preferred investment in a single or a few companies, the risk of the investment in emerging companies is reduced by the proposed mechanism by ensuring the equal access to data for market newcomers and established companies alike. From a prospecting risk perspective, the market entrance of a new company becomes progressively less risky for investors with increasing amounts of publicly available exploration data, promoting progressive and dynamic development. The long lead times of asteroid mining ventures coincide with a long time frame for an ROI. The exclusive mining rights granted after the exploration phase give investors security half-way into their space mining endeavours. The proposed tradability of the rights offers an early chance of gaining investment proceeds. It also offers the possibility of new business models: the classical asteroid mining system concept, as shown by Andrews et al. [[43](https://www.sciencedirect.com/science/article/pii/S0265964621000515#bib43)], for example, covers exploration, exploitation and resource transfer. This maximises the investment needed to develop the technologies required for the entire process chain. Giving exploration a value could lead to a division of labour. Dedicated prospecting companies could emerge, providing mining companies with the data and mining rights to a body with the specific resource profile they are seeking. In this way, the investment needed for a successful mining endeavour is divided between different specialised companies. This considerably reduces the risk for investors as well as the investment needed for a company to meet their business goals, which are now aimed at just a particular part of the overall space mining endeavour. Third-party applications for mining rights should be possible to allow a mining company to subcontract to exploration companies. Such a regulatory mechanism design would also be more easily inclusive of less developed countries. They could simply contract exploration missions made affordable through economies of scale to become part of the emerging space mining economy as holders of tradeable mining rights. Through a wise selection of such missions’ targets, they could gain powerful positions of influence.

## Case

### 1NC – Mining Good

#### Commercial mining solves extinction from scarcity, climate, terror, war, and disease.

Pelton 17—(Director Emeritus of the Space and Advanced Communications Research Institute at George Washington University, PHD in IR from Georgetown).. Pelton, Joseph N. 2017. The New Gold Rush: The Riches of Space Beckon! Springer. Accessed 8/30/19.

Are We Humans Doomed to Extinction? What will we do when Earth’s resources are used up by humanity? The world is now hugely over populated, with billions and billions crammed into our overcrowded cities. By 2050, we may be 9 billion strong, and by 2100 well over 11 billion people on Planet Earth. Some at the United Nations say we might even be an amazing 12 billion crawling around this small globe. And over 80 % of us will be living in congested cities. These cities will be ever more vulnerable to terrorist attack, natural disaster, and other plights that come with overcrowding and a dearth of jobs that will be fueled by rapid automation and the rise of artifi cial intelligence across the global economy. We are already rapidly running out of water and minerals. Climate change is threatening our very existence. Political leaders and even the Pope have cautioned us against inaction. Perhaps the naysayers are right. All humanity is at tremendous risk. Is there no hope for the future? This book is about hope. We think that there is literally heavenly hope for humanity. But we are not talking here about divine intervention. We are envisioning a new space economy that recognizes that there is more water in the skies that all our oceans. Th ere is a new wealth of natural resources and clean energy in the reaches of outer space—more than most of us could ever dream possible. There are those that say why waste money on outer space when we have severe problems here at home? Going into space is not a waste of money. It is our future. It is our hope for new jobs and resources. The great challenge of our times is to reverse public thinking to see space not as a resource drain but as the doorway to opportunity. The new space frontier can literally open up a “gold rush in the skies.” In brief, we think there is new hope for humanity. We see a new a pathway to the future via new ventures in space. For too long, space programs have been seen as a money pit. In the process, we have overlooked the great abundance available to us in the skies above. It is important to recognize there is already the beginning of a new gold rush in space—a pathway to astral abundance. “New Space” is a term increasingly used to describe radical new commercial space initiatives—many of which have come from Silicon Valley and often with backing from the group of entrepreneurs known popularly as the “space billionaires.” New space is revolutionizing the space industry with lower cost space transportation and space systems that represent significant cost savings and new technological breakthroughs. “New Commercial Space” and the “New Space Economy” represent more than a new way of looking at outer space. These new pathways to the stars could prove vital to human survival. If one does not believe in spending money to probe the mysteries of the universe then perhaps we can try what might be called “calibrated greed” on for size. One only needs to go to a cubesat workshop, or to Silicon Valley or one of many conferences like the “Disrupt Space” event in Bremen, Germany, held in April 2016 to recognize that entrepreneurial New Space initiatives are changing everything [ 1 ]. In fact, the very nature and dimensions of what outer space activities are today have changed forever. It is no longer your grandfather’s concept of outer space that was once dominated by the big national space agencies. The entrepreneurs are taking over. The hopeful statements in this book and the hard economic and technical data that backs them up are more than a minority opinion. It is a topic of growing interest at the World Economic Forum, where business and political heavyweights meet in Davos, Switzerland, to discuss how to stimulate new patterns of global economic growth. It is even the growing view of a group that call themselves “space ethicists.” Here is how Christopher J. Newman, at the University of Sunderland in the United Kingdom has put it: Space ethicists have offered the view that space exploration is not only desirable; it is a duty that we, as a species, must undertake in order to secure the survival of humanity over the longer term. Expanding both the resource base and, eventually, the habitats available for humanity means that any expenditure on space exploration, far from being viewed as frivolous, can legitimately be rationalized as an ethical investment choice. (Newman) On the other hand there are space ethicists and space exobiologists who argue that humans have created ecological ruin on the planet—and now space debris is starting to pollute space. Th ese countervailing thoughts by the “no growth” camp of space ethicists say we have no right to colonize other planets or to mine the Moon and asteroids—or at least no right to do so until we can prove we can sustain life here on Earth for the longer term. However, for most who are planning for the new space economy the opinion of space philosophers doesn’t really fl oat their boat. Legislators, bankers, and aspiring space entrepreneurs are far more interested in the views of the super-rich capitalists called the space billionaires. A number of these billionaires and space executives have already put some very serious money into enterprises intent on creating a new pathway to the stars. No less than five billionaires with established space ventures—Elon Musk, Paul Allen, Jeff Bezos, Sir Richard Branson, and Robert Bigelow—have invested millions if not billions of dollars into commercializing space. They are developing new technologies and establishing space enterprises that can bring the wealth of outer space down to Earth. This is not a pipe dream, but will increasingly be the economic reality of the 2020s. These wealthy space entrepreneurs see major new economic opportunities. To them space represents the last great frontier for enterprising pioneers. Th us they see an ever-expanding space frontier that offers opportunities in low-cost space transportation, satellite solar power satellites to produce clean energy 24h a day, space mining, space manufacturing and production, and eventually space habitats and colonies as a trajectory to a better human future. Some even more visionary thinkers envision the possibility of terraforming Mars, or creating new structures in space to protect our planet from cosmic hazards and even raising Earth’s orbit to escape the rising heat levels of the Sun in millennia to come. Some, of course, will say this is sci-fi hogwash. It can’t be done. We say that this is what people would have said in 1900 about airplanes, rocket ships, cell phones and nuclear devices. The skeptics laughed at Columbus and his plan to sail across the oceans to discover new worlds. When Thomas Jefferson bought the Louisiana Purchase from France or Seward bought Alaska, there were plenty of naysayers that said such investment in the unknown was an extravagant waste of money. A healthy skepticism is useful and can play a role in economic and business success. Before one dismisses the idea of an impending major new space economy and a new gold rush, it might useful to see what has already transpired in space development in just the past five decades. The world’s first geosynchronous communications satellite had a throughput capability of about 500 kb / s. In contrast, today’s state of the art Viasat 2 —a half century later— has an impressive throughput of some 140 Gb/s. Th is means that the relative throughput is nearly 300,000 greater, while its lifetime is some ten times longer (Figs. 1.1 and 1.2 ). Each new generation of communications satellite has had more power, better antenna systems, improved pointing and stabilization, and an extended lifetime. And the capabilities represented by remote sensing satellites , meteorological satellites , and navigation and timing satellites have also expanded their capabilities and performance in an impressive manner. When satellite applications first started, the market was measured in millions of dollars. Today commercial satellite services exceed a quarter of a billion dollars. Vital services such as the Internet, aircraft traffi c control and management, international banking, search and rescue and much, much more depend on application satellites. Th ose that would doubt the importance of satellites to the global economy might wish to view on You Tube the video “If Th ere Were a Day Without Satellites?” [ 2 ]. Let’s check in on what some of those very rich and smart guys think about the new space economy and its potential. (We are sorry to say that so far there are no female space billionaires, but surely this, too, will come someday soon.) Of course this twenty-fi rst century breakthrough that we call the New Space economy will not come just from new space commerce. It will also come from the amazing new technologies here on Earth. Vital new terrestrial technologies will accompany this cosmic journey into tomorrow. Information technology, robotics, artificial intelligence and commercial space travel systems have now set us on a course to allow us humans to harvest the amazing riches in the skies—new natural resources, new energy, and even totally new ways of looking at the purpose of human existence. If we pursue this course steadfastly, it can be the beginning of a New Space renaissance. But if we don’t seek to realize our ultimate destiny in space, Homo sapiens can end up in the dustbin of history—just like literally millions of already failed species. In each and every one of the five mass extinction events that have occurred over the last 1.5 billion years on Earth, some 50–80 % of all species have gone the way of the T. Rex, the woolly mammoth, and the Dodo bird along with extinct ferns, grasses and cacti. On the other hand, the best days of the human race could be just beginning. If we are smart about how we go about discovering and using these riches in the skies and applying the best of our new technologies, it could be the start of a new beginning for humanity. Konstantin Tsiokovsky, the Russian astronautics pioneer, who fi rst conceived of practical designs for spaceships, famously said: “A planet is the cradle of mankind, but one cannot live in a cradle forever.” Well before Tsiokovsky another genius, Leonardo da Vinci, said, quite poetically: “Once you have tasted flight, you will forever walk the earth with your eyes turned skyward, for there you have been, and there you will always long to return.” The founder of the X-Prize and of Planetary Resources, Inc., Dr. Peter Diamandis, has much more brashly said much the same thing in quite diff erent words when he said: “The meek shall inherit the Earth. The rest of us will go to Mars.” The New Space Billionaires Peter Diamandis is not alone in his thinking. From the list of “visionaries” quoted earlier, Elon Musk, the founder of SpaceX; Sir Richard Branson, the founder of Virgin Galactic; and Paul Allen, the co-founder of Microsoft and the man who financed SpaceShipOne, the world’s first successful spaceplane have all said the future will include a vibrant new space economy. Th ey, and others, have said that we can, we should and we soon shall go into space and realize the bounty that it can offer to us. Th e New Space enterprise is today indeed being led by those so-called space billionaires , who have an exciting vision of the future. They and others in the commercial space economy believe that the exploitation of outer space may open up a new golden age of astral abundance. They see outer space as a new frontier that can be a great source of new materials, energy and various forms of new wealth that might even save us from excesses of the past. Th is gold rush in the skies represents a new beginning. We are not talking about expensive new space ventures funded by NASA or other space agencies in Europe, Japan, China or India. No, these eff orts which we and others call New Space are today being forged by imaginative and resourceful commercial entrepreneurs. Th ese twenty-fi rst century visionaries have the fortitude and zeal to look to the abundance above. New breakthroughs in technology and New Space enterprises may be able to create an “astral life raft” for humanity. Just as Columbus and the Vikings had the imaginative drive that led them to discover the riches of a new world, we now have a cadre of space billionaires that are now leading us into this New Space era of tomorrow. These bold leaders, such as Paul Allen and Sir Richard Branson, plus other space entrepreneurs including Jeff Bezos of Amazon and Blue Origin, and Robert Bigelow, Chairman of Budget Suites and Bigelow Aerospace, not only dream of their future in the space industry but also have billions of dollars in assets. These are the bright stars of an entirely new industry that are leading us into the age of New Space commerce. These space billionaires, each in their own way, are proponents of a new age of astral abundance. Each of them is launching new commercial space industries. They are literally transforming our vision of tomorrow. These new types of entrepreneurial aerospace companies—the New Space enterprises—give new hope and new promise of transforming our world as we know it today. The New Space Frontier What happens in space in the next few decades, plus corresponding new information technologies and advanced robotics, will change our world forever. These changes will redefi ne wealth, change our views of work and employment and upend almost everything we think we know about economics, wealth, jobs, and politics. Th ese changes are about truly disruptive technologies of the most fundamental kinds. If you thought the Internet, smart phones, and spandex were disruptive technologies, just hang on. You have not seen anything yet. In short, if you want to understand a transition more fundamental than the changes brought to the twentieth century world by computers, communications and the Internet, then read this book. There are truly riches in the skies. Near-Earth asteroids largely composed of platinum and rare earth metals have an incredible value. Helium-3 isotopes accessible in outer space could provide clean and abundant energy. There is far more water in outer space than is in our oceans. In the pages that follow we will explain the potential for a cosmic shift in our global economy, our ecology, and our commercial and legal systems. These can take place by the end of this century. And if these changes do not take place we will be in trouble. Our conventional petro-chemical energy systems will fail us economically and eventually blanket us with a hydrocarbon haze of smog that will threaten our health and our very survival. Our rare precious metals that we need for modern electronic appliances will skyrocket in price, and the struggle between “haves” and “have nots” will grow increasingly ugly. A lack of affordable and readily available water, natural resources, food, health care and medical supplies, plus systematic threats to urban security and systemic warfare are the alternatives to astral abundance. The choices between astral abundance and a downward spiral in global standards of living are stark. Within the next few decades these problems will be increasingly real. By then the world may almost be begging for new, out of- the-box thinking. International peace and security will be an indispensable prerequisite for exploitation of astral abundance, as will good government for all. No one nation can be rich and secure when everyone else is poor and insecure. In short, global space security and strategic space defense, mediated by global space agreements, are part of this new pathway to the future.

#### Resource scarcity coming now and causes extinction—asteroid mining is the only way to solve

Crombrugghe 18 – Guerric, Business Development Manager Brussels, Brussels Capital Region, “Asteroid mining as a necessary answer to mineral scarcity”, LinkedIn, 1/11/2018, <https://www.linkedin.com/pulse/asteroid-mining-necessary-answer-mineral-scarcity-de-crombrugghe>

We need minerals, and we always will. Yet, our reserves are finite and a 100% end-of-life recycling rate is impossible to achieve. Eventually, new entrants will therefore be required to sustain our system. While the business case for asteroid mining can obviously not be closed with current technologies, it will someday become a necessity. We may as well start preparing ourselves. Scarcity of resources, the challenge of the 21st century According to the World Bank, in 2016 humanity's growth rate was of 1.18% in terms of population, and 2.50% in terms of GDP. Both of these, in turn, drive our staggering resource consumption: there are more of us, and each of us needs more. On the other, the Earth is a closed system, and resources are only available in a finite amount. We all know by now that there is only this much oil & gas, but the same can actually be said for water, arable land, minerals, etc. These two simple observations have sparkled the debate around the scarcity of resources. Even with the best intentions, mathematics teaches us that it is impossible to indefinitely extract resources from a given finite supply [1]. The problem arising in the short-term is the exhaustion of the existing supply. That limit is actually coming in fast. In a paper published in 2007, Stephen Kessler demonstrates that the global mineral reserves are only sufficient for the next 50 years. The figure on the right shows the ratio of known global reserve to global annual consumption, given a rough indication of adequacy in years. It dates from an earlier paper, published in 1994. Since then, the development of environmental-friendly technologies (e.g. batteries, electric engines, etc.) has drastically increased the consumption rate of high-tech metals such as cobalt, platinum, rare earths, or titanium. On the other hand, exploration programs have allowed to discover new deposits, notably of gold and diamond. We will certainly be able to continue to increase - or at least sustain - our reserves, but only temporarily. Recycling and other temporary fixes An obvious solution is recycling, i.e. rejuvenating our stocks. A popular concept to illustrate this idea is that of urban mining: retrieving the ores present in smartphones and other electronic devices. It may prove to be not only more environmental-friendly, be also safer and more cost-effective. Nevertheless, every solution based on recycling is, again, nothing more than a temporary fix, buying us a finite amount of time. The United Nations Environment Programme studied in a report the current recycling rate of 60 metals. More than half of them have an end-of-life recycling rate below 1%, and less than one-third are above 50%. Nickel, for example, is relatively easy to retrieve, with and end-of-life recycling rate of up to 63% under the best conditions. At that rate, less than 1% of the initial stock is available after only 10 cycle. Even with a staggering 99% efficiency, the same 1% limit is achieved in less than 460 cycles. Not bad, of course, but still not enough. Should our hunger for resources continue, and even with the most optimised recycling techniques, a second problem will arise in the longer term: the amount of resources needed at a given time will simply exceed the total available stock. Unless we manage to find growth vectors that do not require raw materials, that tipping point is an impassable limit. Its proximity obviously depends on our consumption rate. Asteroid mining? No matter which way we look at it, we will thus be short on resources, either through sheer exhaustion (i.e. transformation in an unrecoverable form) or because the demand will exceed the total reserves. We can - and should - talk about recycling, dematerialisation, and other more ethically questionable solutions such as bio-engineering. Nonetheless, no matter how good they are, these are only temporary fixes. If we don't radically change our lifestyle, we will sooner or later have to address the elephant in the room: the Earth is a closed system, we need new entrants. How can space help? Short answer: all these minerals can be found in space. Some are difficult to obtain, others are even more difficult, none are straightforward. The most accessible destination is near-Earth asteroids, a reservoir of over 17,000 known - and counting - giant rocks that regularly cross the orbit of our planet. They are commonly classified in three main families. The most interesting one, for our case, is that of the S-type asteroids. These are metallic bodies, containing first and foremost nickel, iron and cobalt, but also gold, ores from the platinum group. But the list doesn't stop there, many other minerals can be found in smaller amounts: iridium, silver, osmium, palladium, rhenium, rhodium, ruthenium, manganese, molybdenum, aluminium, titanium, etc. How do we get there? Let's take an example: Ryugu, formerly known as 1999 JU3. It's a C-type asteroid measured to be approximately one kilometre in size [2]. In addition to nickel, iron and cobalt, it also contains a fair share of water, nitrogen, hydrogen, and ammonia. Its total value is estimated to be approximately 80 billion USD. Fantastic! But how do we get there and, most importantly, how much does it cost? Well, we may have the start of an answer to these questions. Reaching Ryugu is a technological challenge, but it is feasible. In December 2014, the Japanese space agency has launched a spacecraft, Hayabusa2, heading to the asteroid. Its mission includes the collection of a small sample which will be sent back to the Earth, with a landing planned for December 2020. The target for the sample size is at least 100 µg. The total cost of the mission was projected to be around 200 million USD. That's 2 trillion USD per gram. Let's be optimistic and assume that the sample retrieved is pure gold. At today's rate, it is worth 42.5 USD per gram. That's a difference of over 10 orders of magnitude. Some may argue that Hayabusa2 has many other objectives that retrieving a sample. The mission does indeed include multiple landers, thorough scientific investigations, etc. There is actually another asteroid sample return mission underway, which we could you as a second point of comparison: OSIRIS-Rex, from NASA. It's heading for Bennu, also a C-type asteroid, which it will reach in August 2018. Total cost of the mission: 980 million USD. Target sample size: at least 60 g. We achieve thus roughly speaking 16 million USD per gram. Better, but still 6 orders of magnitude off compared to pure gold. It's pretty much as good as it gets with existing state-of-the-art technologies. Not much of a business case. Should we forget about it? Referring back to our earlier conclusion on resource scarcity, we had two options. Either we drastically reduce our resource consumption, to such a degree that reserves can last for longer than humanity itself, or we extend our closed system, the Earth, to nearby asteroids. In the current state of affairs, I am honestly not sure which course of action is the easiest. As they get increasingly rare, the cost of minerals will go up. On the other hand, as explained in a previous article, we can expect the cost of space activities to go steadily down. Step by step, these 6 orders of magnitude will slowly get munched away from both ends, until eventually asteroid mining becomes a viable operation. In other words: it will only become financially interesting once minerals become a thousand times more expensive and space activities a thousand times cheaper. As a point of reference, the introduction of reusable rockets by SpaceX, widely considered as one of the few truly disruptive changes in the aerospace sector in the last few decades, has "only" brought a cost reduction of 30%. While it's clearly amazing, we still need at least 220 innovations of the same calibre [3] before we can make it work (again: assuming the price of minerals simultaneously goes up by a factor of a thousand). It's therefore quite likely that space mining will not take place within our lifetime [4]. How can we accelerate the process? Firstly, we can only celebrate and support the numerous private initiatives which contribute to make that reality happen, either indirectly (e.g. launchers, space systems, etc.) or directly (e.g. in-space manufacturing, lunar exploration, etc.). Shout out to all the folks who manage to keep the flame of space exploration burning while generating profit for their investors. Secondly, space agencies and other institutional actors should continue to act as promoters of pioneering mission such as Hayabusa2, OSIRIS-REx, or DART. We can only regret that the Asteroid Redirect Mission from NASA and the Asteroid Impact Mission from ESA were not funded. From my perspective, these should actually be amongst the top priorities of our space exploration agenda. Not only are they instrumental to our understanding of the solar system, but they are also essential if we want to avoid the same fate as the dinosaurs. It's a question of survival. As a bonus, they also pave the way towards cost-efficient asteroid mining. In the meantime, we might want to consume existing resources a bit more efficiently.

#### Resource Shortages Exacerbate Conflict

Wingo 13 - Dennis Wingo, Former CTO of the Orbital Recovery Corporation, Founder & CEO of Skycorp Inc, and Greentrail Energy Inc., Co-Founder & CTO of Orbital Recovery Inc. Leader of NASA's the Lunar Orbiter Image Recovery Project (LOIRP), First in history to rescue and operate a spacecraft (ISEE-3) in interplanetary space, and University of Alabama in Huntsville Consortium for Materials Development in Space Researcher At University of Alabama in Huntsville Consortium for Materials Development in Space “Commentary | The Inevitability of Extraterrestrial Mining”, *Space News*, 7/29/2013, https://spacenews.com/36511the-inevitability-of-extraterrestrial-mining/

I am honored to provide the counterpoint to my esteemed colleague Ambassador Roger Harrison’s negative contention concerning the mining of extraterrestrial materials off of planet Earth. Let’s begin with his ending: “The conclusion is inescapable, though liable to be escaped, i.e., that raw materials will never be mined in space and sold profitably within the atmosphere or anywhere else. … Asteroids will continue unvexed in their obits, and the Moon too.” I bring a different quote, from the book “Empire Express,” the story of the intercontinental railroad, from U.S. Army Lt. Zebulon Pike, for whom Pike’s Peak is named: “In various places there were tracts of many leagues, where the wind had thrown up sand in all the fanciful forms of the ocean’s rolling wave, and on which not a spear of vegetable matter existed.” Pike’s visions of sand dunes, pathless wastes and sterile soils were reported, widely read and faithfully believed by geographers. The myth became innocently embellished by subsequent visitors, especially those in the party of Maj. Stephen H. Long, who traversed the whole area in 1820. It was reported to be “an unfit residence for any but a nomad population … forever to remain the unmolested haunt of the native hunter, the bison, and the jackal.” The delicious irony is that Mr. Harrison today lives in the shadow of Pike’s Peak, and the U.S. Air Force Academy where he teaches is in the middle of the confidently prophesied unmolested haunt. When Long’s report was written, the Erie Canal across New York was five years from completion and it was another 31 years before the first railroad was completed across the state. Mr. Harrison’s technical objections are for the most part valid today for his scenario, just as objections to a railroad across the North American continent were valid in the 1820s. However, technology is being developed today that will enable extraterrestrial mining, manufacturing and development just as technology was developed that would enable the creation of the national railroad. Mr. Harrison says it is an illusion that we are running out of resources. He is correct. That is not our claim. The claim is that extraction costs of economically viable terrestrial resources are rising dramatically and may soon exceed the cost of extraction from much more plentiful extraterrestrial sources. Today rapidly advancing costs and diminishing returns are rapidly redefining mining due to diminishing ore grades. This fact is developed in a 2012 distinguished lecture by Dan Wood before the Society of Environmental Geologists, “Crucial Challenges to Discovery and Mining — Tomorrow’s Deeper Ore Bodies.” This is a vitally important issue to solve as resource conflict has been the impetus for most wars in human history. We live in a global civilization of over 7 billion people, which will expand to over 9 billion before plateauing in mid-century. While American politicians are not paying attention to what this means, the rest of the world is noticing. Gross domestic product (GDP) growth and increasing global resource demand are addressed in “Iron Ore Outlook 2050,” a report commissioned for the Indian government. The GDP of the major powers (the United States, Europe, China, India and Japan) is forecast to rise from $48 trillion in 2010 to $149 trillion by 2050. The report’s substance is that with this massive increase in global GDP, an intensifying scramble for metal resources is inevitable. If the trend of resource consumption demand increase continues unabated, there are three likely potential outcomes. The first is collapse, forecast by the “Limits to Growth” school of thought. The second and more likely scenario is fierce national economic competition leading to wars over diminishing resources. The third, and most desirable, is to increase the global resource base by the economic and industrial development of the inner solar system. Mr. Harrison uses cost as the primary reason that extraterrestrial mining will never happen by focusing on a straw man argument related to mining asteroids in orbits far from Earth. Just as the U.S. railroad infrastructure began on shorter routes with lower capital requirements and shorter payback periods, asteroid mining can begin with our nearest neighbor, the Moon, where telepresence robotics, high-bandwidth communications and a short three-day trip for humans negate his premise. We know from the Apollo samples that plentiful metallic asteroidal materials exist in the lunar highlands. We also know from several missions that extensive water, titanium, thorium, uranium, aluminum and native iron all exist on the Moon, in easily separable oxide form. Improvements in remote sensing data from current missions and computer modeling continue to increase the amount of potential asteroidal material on the Moon, increasing confidence in the Moon first premise. The extensive resources of the Moon become the catalyst for an inner solar system-wide economy providing fuel, vehicles and the all-important experience in developing an industrial infrastructure off planet. The asteroids then become the force multiplier of inner solar system development with billions of tons of water, metals and free space energy from solar power. Mars figures in here as well as the second home of humanity, creating further demand for asteroidal resources, and providing something else that is becoming increasingly scarce on the Earth: hope for the future. The technical barriers that Mr. Harrison points to are being overcome just as those of the 19th century were. New technology developments in 3-D printing, additive manufacturing and advanced robotics are breaking down the final barriers to exploiting off-planet resources and indeed the industrial development of the inner solar system. It is not a question if, it is a question of when, and by whom. Just as the Pacific Railway Act of 1862 was a primary catalyst for a century of American economic growth, it should be the role of government to develop policies and concrete legislation to support this development for the continued health of the American economy and the future of all mankind.

### 1NC – AT: Debris

#### Collision risk is tiny

Wein 9 [Lawrence M. Wein, Professor & Senior Fellow at Stanford’s Center for International Security and Cooperation Jeffrey S. Skoll Professor of Management Science at Stanford University and Senior Fellow at Stanford’s Center for International Security and Cooperation, former DEC Leaders for Manufacturing Professor of Management Science at MIT, and Andrew M. Bradley, PhD-Institute for Computational and Mathematical Engineering at Stanford University, Space debris: Assessing risk and responsibility, Advances in Space Research 43 (2009) 1372–1390]

More importantly, while our numerical results mimic earlier results (Liou and Johnson, 2005; Walker and Martin, 2004) that stressed the importance of postmission deorbiting, we do not necessarily agree with the claim that the only way to prevent future problems is to remove existing large intacts from space (Liou and Johnson, 2006, 2008). The divergence between our views and those in Liou and Johnson (2006, 2008) is perhaps due to the different performance metrics used. The root causes for alarm in Liou and Johnson (2006, 2008) appear to be the growth rate of fragments and the small increase in the rate of catastrophic collisions over the next 200 years (Liou and Johnson, 2008, Fig. 2). However, the great majority of catastrophic collisions in the SOI do not involve operational spacecraft, and are hazardous only in the sense that the fragments generated from such a collision could subsequently damage or destroy operational spacecraft. Therefore, we introduced the notion of the lifetime risk of an operational spacecraft as the primary performance metric. Our model predicts that the lifetime risk is <5x10^-4 [less than .0005%] over the next two centuries, and always stays <10^-3 [less than .001%] than if there is very high (>98%) spacecraft deorbiting compliance. These risks appear to be low relative to the immense cost and considerable technological uncertainty involved in removing large objects from space, are dwarfed by the ~20% historical mission-impacting (but not necessarily mission-ending) failure rate of spacecraft (Frost and Sullivan, 2004), and could be overestimated if improved traffic management techniques lower future collision risks (Johnson, 2004). Hence, the need to bring large objects down from space does not appear to be as clear cut as suggested in Liou and Johnson (2006, 2008). Nonetheless, our model does not incorporate the possibility of intentional catastrophic collisions (ASAT tests, space wars) that could conceivably occur in the future. In addition, Fig. 5 considers only catastrophic collisions, whereas noncatastrophic intact-fragment collisions could easily disable an operational spacecraft. If the operational lifetime risk is modified to include noncatastrophic collisions with fragments >= 10cm, then the sustainable risk rises by ~50%: it increases from 2.19x10^-2 [.0219%] to 3.09x10^-2 in the base case, and increases from 4.91x10^-4 [.000491%] to 7.94x10^-4 in the full compliance case. Moreover, if fragments >= 1 cm (rather than >= 10 cm) are harmful to spacecraft (Johnson, 2004), then we (as well as other researchers) could be underestimating the risk.

#### No miscalc from satellite disruptions or ASAT attacks – empirically denied

Mazur 12 [Jonathan Mazur, Manager Engineering at Northrop Grumman, writing in Space & Defense, from the Eisenhower Center for Space and Defense Studies. Past U.S. Actions: Redlines in Space. Space & Defense, Volume 6, Number 1, Fall 2012. https://inss.ndu.edu/Portals/97/Space\_and\_Defense\_6\_1.pdf?ver=2018-09-06-135424-147]

U.S. Reactions To Foreign Disruption Of U.S. Capabilities In the 1970s, it was suspected that a U.S. maritime communications satellite was turned off by the Soviets when it was outside of the range of U.S. tracking stations.25 There does not appear to be any documented U.S. reaction, and I suspect there was none. In the mid-1990s, satellite hackers in Brazil began hijacking U.S. military communication satellite signals to broadcast their own information, though it took until 2009 for Brazil to crack down on the illegal activity with the support of the DoD.26 In 1998, a U.S.-German satellite known as ROSAT was rendered useless after it turned suddenly toward the sun. NASA investigators later determined the accident was possibly linked to a cyber-intrusion by Russia. The fallout? Though there was an ongoing criminal investigation as of 2008; NASA security officials have seemed determined to publicly minimize the seriousness of the threat.27 In 2003, a signal originating from Cuba—later determined to be coming from Iranian embassy property— was jamming a U.S. communications satellite that was transmitting Voice of America programming over Iran, which was publicly referred to as an “act of war” by a U.S. official. 28 Press reporting indicates the U.S. administration was [frozen]“paralyzed” about how to cope with the jamming that continued for at least a month, even after U.S. diplomatic protests to Cuba.29 In 2005, U.S. diplomats protested to the Libyan government after two international satellites were illegally jammed disrupting American diplomatic, military, and FBI communications.30 In 2006, press reporting indicates that China hit a U.S. spy satellite with a ground-based laser. This action was acknowledged by the then director of the NRO, though the DoD remained tight lipped about the incident.31 “We’re at a point where the technology’s out there, and the capability for people to do things to our satellites is there. I’m focused on it beyond any single event.” – Air Force Space Command Commander, General Chilton, 2006 32 In 2009, a U.S. commercial Iridium communications satellite—extensively used by the DoD—was accidently destroyed by a collision with a dead Russian satellite.33 The U.S. company, Iridium, was able to minimize any loss of service by implementing a network solution within a few days.34 As of early 2011, no legal action had been taken by the company either because it is not clear who was at fault or because it might be politically problematic for the United States, which is trying to enter into bi-lateral transparency and confidence-building measures (TCBM) with Russia regarding space activities.35 Since August of 2010, North Korea has been intermittently using GPS jamming equipment, which reportedly has been interfering with U.S. and South Korean military operations and civilian use south of the North Korean border.36 Reportedly, only South Korea and the United Nations International Telecommunications Union—at the request of South Korea—have issued letters to Pyongyang demanding the cessation of disruptive communications signals in South Korea.37 It appears that the only time the U.S. military has responded with force to a disruption in U.S. space capabilities was in 2003, a few days after the start of the Iraq war.38 According to U.S. officials, Iraq was using multiple GPS jammers—which supposedly did not affect military GPS functionality. However, the U.S. military bombed the jammers anyway after a diplomatic complaint to Russia.39 The use of military force against the GPS jamming threat was possibly because the United States was already intervening in Iraq, and the bombing probably would not have occurred if the United States was not at war.

#### No one’s going to war over a downed satellite

Bowen 18 [Bleddyn Bowen, Lecturer in International Relations at the University of Leicester. The Art of Space Deterrence. February 20, 2018. https://www.europeanleadershipnetwork.org/commentary/the-art-of-space-deterrence/]

Space is often an afterthought or a miscellaneous ancillary in the grand strategic views of top-level decision-makers. A president may not care that one satellite may be lost or go dark; it may cause panic and Twitter-based hysteria for the space community, of course. But the terrestrial context and consequences, as well as the political stakes and symbolism of any exchange of hostilities in space matters more. The political and media dimension can magnify or minimise the perceived consequences of losing specific satellites out of all proportion to their actual strategic effect.

#### Won’t go nuclear – seen as a normal conventional attack because of integration with ground forces

Firth 7/1/19 [News Editor at MIT Technology Review, was Chief News Editor at New Scientist. How to fight a war in space (and get away with it). July 1, 2019. MIT Technology Review]

Space is so intrinsic to how advanced militaries fight on the ground that an attack on a satellite need no longer signal the opening shot in a nuclear apocalypse. As a result, “deterrence in space is less certain than it was during the Cold War,” says Todd Harrison, who heads the Aerospace Security Project at CSIS, a think tank in Washington, DC. Non-state actors, as well as more minor powers like North Korea and Iran, are also gaining access to weapons that can bloody the noses of much larger nations in space.

### 1NC – AT: Solvency

#### OST Fails

**Evanoff 17** [Kyle Evanoff, Kyle is a research associate in international economics and U.S. foreign policy at the Council on Foreign Relations 10/10/17, "The Outer Space Treaty’s Midlife Funk," Council on Foreign Relations [https://www.cfr.org/blog/outer-space-treatys-midlife-funk accessed 12/11/2021](https://www.cfr.org/blog/outer-space-treatys-midlife-funk%20accessed%2012/11/2021)] Adam

Half a century later, however, the Outer Space Treaty has entered something of a funk. Despite the universal aspirations of the UN Committee on the Peaceful Uses of Outer Space, which molded the document into its completed form, many of the principles enshrined within the text are less suited to the present than they were to their native Cold War milieu. While the anachronism has not reached crisis levels, current and foreseeable developments do present challenges for the treaty, heightening the potential for disputes. At the crux of the matter is the ongoing democratization of space. During the 1950s and ‘60s, when the fundamental principles of international space law took shape, only large national governments could afford the enormous outlays required for creating and maintaining a successful space program. In more recent decades, technological advances and new business models have broadened the range of spacefaring actors. Thanks to innovations such as reusable rockets, micro- and nanosatellites, and inflatable space station modules, costs are decreasing and private companies are crowding into the sector. This flurry of activity, known as New Space, promises nothing less than a complete transformation of the way that humans interact with space. Asteroid mining, for example, could eliminate the need to launch many essential materials from Earth, lowering logistical hurdles and enabling largescale in-space fabrication. Companies like Planetary Resources and Deep Space Industries, by extracting and selling useful resources in situ, could help to jumpstart a sustainable space economy. They might also profit from selling valuable commodities back on terra firma. As a recent (bullish) Goldman Sachs report noted, a single football-field-sized asteroid could contain $25 to $50 billion worth of platinum—enough to upend the terrestrial market. With astronomical sums at stake and the commercial sector kicking into high gear, legal questions are becoming a major concern. Many of these questions focus on Article II of the Outer Space Treaty, which prohibits national appropriation of space and the celestial bodies. Since another provision (Article VI) requires nongovernmental entities to operate under a national flag, some experts have suggested that asteroid mining, which would require a period of exclusive use, may violate the agreement. Others, however, contend that companies can claim ownership of extracted resources without claiming ownership of the asteroids themselves. They cite the lunar samples returned to Earth during the Apollo program as a precedent. Hoping to promote American space commerce, Congress formalized this more charitable legal interpretation in Title IV of the 2015 U.S. Commercial Space Launch Competitiveness Act. Luxembourg, which announced a €200 million asteroid mining fund last year, followed suit with its own law in August. Controversies like the one surrounding asteroid mining are par for the course when it comes to the Outer Space Treaty. The agreement’s insistence that space be used “for peaceful purposes” has long been the subject of intense debate. During the treaty-making process, Soviet jurists argued that peaceful meant “non-military” and that spy satellites were illegal; Americans, who enjoyed an early lead in orbital reconnaissance, interpreted peaceful to mean “non-aggressive” and came to the opposite conclusion. Decades later, the precise meaning of the phrase remains a matter of contention. While the Outer Space Treaty has survived past disputes intact, some experts and policymakers believe that an update is in order. Senator Ted Cruz (R-TX), for instance, worries that legal ambiguity could undermine the nascent commercial space sector—a justifiable concern. Russia and Brazil, among other countries, hold asteroid mining operations to constitute de facto national appropriation. And while there are plenty of asteroids to go around for now (NASA has catalogued nearly 8,000 near earth objects larger than 140 meters in diameter), more supply-side saturation could lead to conflicts over choice space rocks. The absence of clear property rights makes this prospect all the more likely. Plans to establish outposts on the moon and Mars present a bigger challenge still. Last week, prior to the first meeting of the revived National Space Council, Vice President Mike Pence described the need for “a renewed American presence on the moon, a vital strategic goal” in an op-ed for the Wall Street Journal. His piece came on the heels of SpaceX Founder and Chief Executive Officer Elon Musk’s announcement at the 2017 International Astronautical Congress of a revised plan to colonize the red planet, with the first human missions slated for 2024. Musk hopes for the colony to house one million inhabitants within the next fifty years. While mining might require only temporary use of the celestial bodies, full-fledged colonies would necessarily be more permanent affairs. With some national governments arguing that mining operations would constitute territorial claims, lunar and Martian bases are almost certain to enter the legal crosshairs. And, even under the favorable U.S. interpretation of the Outer Space Treaty, states and private companies would need to avoid making territorial claims. If viable colony locations are relatively few and far between, fierce competition could make asserting control a practical necessity. Even so, policymakers should avoid hasty attempts to overhaul the Outer Space Treaty. The uncertainties associated with altering the fundamental principles of international space law are greater than any existing ambiguities. Commercial spacefaring already entails high levels of risk; adding new regulatory hazards to the mix would jeopardize investment and could slow progress in the sector. While the current property rights regime may be untenable over longer timelines, it remains workable for now.

#### Russia and China say no, or the plan gets watered down.

**Bahney and Pearl 19** [Benjamin Bahney and Jonathan Pearl, 3-26-2019, "Why Creating a Space Force Changes Nothing," BENJAMIN BAHNEY and JONATHAN PEARL are Senior Fellows at the Lawrence Livermore National Laboratory’s Center for Global Security Research and contributing authors to [Cross Domain Deterrence: Strategy in an Era of Complexity](https://archive.md/o/Hlbi1/https:/www.amazon.com/Cross-Domain-Deterrence-Strategy-Era-Complexity/dp/0190908653). Foreign Affairs, [https://www.foreignaffairs.com/articles/space/2019-03-26/why-creating-space-force-changes-nothing accessed 12/10/21](https://www.foreignaffairs.com/articles/space/2019-03-26/why-creating-space-force-changes-nothing%20accessed%2012/10/21)] Adam

As Russia and China continue to push forward, U.S. policymakers may be tempted to use treaties and diplomacy to head off their efforts entirely. This option, although alluring on paper, is simply not feasible. Existing treaties designed to limit military competition in space have had little success in actually doing so. The 1967 Outer Space Treaty bans parties from placing nuclear weapons or other weapons of mass destruction in space, on the moon, or on other celestial bodies, but it has no formal mechanism for verifying compliance, and places no restrictions on the development or deployment in space of conventional antisatellite weapons. Even if it were possible to convince Moscow and Beijing of the benefits of comprehensive space arms control, existing technology makes it extremely difficult to verify compliance with the necessary treaty provisions—and without comprehensive and reliable verification, treaties are toothless. Moreover, regulating the development and deployment of antisatellite weapons is extremely difficult, both because they include such a broad and diverse range of technologies and because many types of antisatellite weapons can be concealed or explained away as having some other use. Unsurprisingly, Russia and China’s draft Treaty on the Prevention of Placement of Weapons in Space, which they have been pushing for several years now, has an unenforceable definition of what constitutes a “weapon” and does nothing at all to address ground-based antisatellite weapons development.