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**Cultivating the Bipartisan
Consensus on India in the
116th US Congress**

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ABSTRACT

Amidst the current climate of intense polarisation in the US, the bipartisan consensus on India has largely remained as a rare point of convergence between Republicans and Democrats. This paper discusses the seminal role of the US Congress in the cultivation of US–India ties, and how crucial legislations—led by the India caucuses in the US House of Representatives and the US Senate—have paved the way for greater strategic cooperation between the two countries. The paper argues that India must adopt a pointed approach in its engagement with the House Foreign Affairs Committee and the Senate Foreign Relations Committee, to develop the bipartisan consensus beyond the House and Senate India Caucuses.

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INTRODUCTION

The Trump era has witnessed a rise in conflict between the executive and legislative branches of the US government. As the foreign-policy conduct of President Donald Trump's administration continues to cause discomfort amongst allies, analysts and the media, American legislators have stepped in to stem the tide against the transactionalism that is putting to test some of the most fundamental tenets of US foreign policy. With the locus of foreign policy decision-making shifting away from the Oval Office and towards the Capitol Hill, US legislators are now seeking to curb many of Trump's powers on a range of issues, such as troop withdrawals, initiating US retreat from crucial alliances, and off-ramping punitive sanctions against adversarial nations.

This struggle between the White House and the US Congress on foreign policy has now reached unprecedented levels. As a result, studying the US Congress' role in American international relations has assumed renewed relevance. For India, a recent case in point is the Congressional hearing on human rights in South Asia, where the Democrat-controlled US House of Representatives initiated discussions on the Trump administration's support for India's abrogation of Article 370 in Kashmir—a topic that dominated the hearing.

As India's bilateral dynamic with the US moves towards a more consultative format—away from the erstwhile dependence on the personal rapport between top-level political leaders—the US Congress has become all the more crucial. Largely underpinned by the thriving Indian-American diaspora in the US, American legislators from either side of the political aisle have often found common ground on US interests to cultivate India as a strategic partner. This has been in the context of either a shared commitment to democratic values or common

threat perceptions regarding emerging powers such as China. Consequently, the Congressional Caucus on India and Indian Americans in the US House of Representatives is the largest such cobbling of lawmakers. The India Caucus in the US Senate, meanwhile, is notably the first country-specific caucus of the chamber.

Unfortunately, the impact of this bipartisan consensus in the development of contemporary US–India strategic ties over the years has received little attention.

CONGRESS' IMPACT ON US–INDIA TIES: FROM TESTING WATERS TO LEADING STRATEGIC COOPERATION

In the post-Cold War era, a roadblock to the US and India realising their potential for strategic cooperation was the former's insistence on treating India as an outcast due to its nuclear programme. For instance, the US imposed sanctions on India following the latter's nuclear test in 1998.¹ Over time, however, the US shifted its perceptions as India displayed economic potential with liberalisation reforms. Indeed, Prime Minister Atal B. Vajpayee, on a historic visit to the US characterised the two countries as “natural allies”.²

In recent years, with China's rapid rise, the US has come to view India from a more strategic standpoint. An early sign of this was seen in the highly contentious presidential campaign of 2000. As the Republican nominee, then-Governor George W. Bush sought to attribute the foreign-policy failures of the William Clinton administration to Clinton's vice-president, Al Gore – Bush's Democratic opponent for the presidency. The Bush campaign made rallying points around Clinton's “Engagement and Enlargement” grand strategy of seeking American “security by protecting, consolidating and enlarging the community of free market democracies.”³

However, a point of continuity emerged over courting India, due to its “success as the largest democracy and its potential as a major emerging economy that embraced globalisation.”⁴ By then, relations had already begun to improve, with Clinton’s visit to India in 2000 being the first by a US president since that of Jimmy Carter in 1978.⁵ The US had eased technical sanctions, and the Clinton administration had moved away from the Pakistan-centric US South Asia policy under Assistant Secretary of State for South Asia Robin Raphel.⁶ The Bush campaign sought to build on this and viewed India “through the strategic lens of the need to preserve American hegemony from potentially being challenged by a rising China.”⁷ Notably, Bush’s senior campaign adviser, and later US secretary of state (2005–2009), Condoleezza Rice wrote at that time, “... India is an element in China’s calculation, and it should be in America’s, too. India is not a great power yet, but it has the potential to emerge as one.”⁸

This beginning of a tilt towards India did not occur overnight. For nearly a decade before the Bush “calculation” on India, the US Congress had been testing waters with the creation of the Congressional Caucus on India and Indian Americans in the House of Representatives. Formed in 1993, this Congressional Caucus brought together a handful of bipartisan House representatives to advocate “the interests of the more than two million Americans in the United States who were born in India or are of Indian ancestry, and promote and strengthen relations between the United States, the world’s oldest democracy, and India, the world’s largest democracy.”⁹ It expanded from its original roster of eight House representatives, to 50 in the first year of its founding. Within a decade, it had over 200 members.¹⁰

The Caucus initially introduced largely symbolic House Resolutions, such as, “H.Res.227 - Recognizing and honoring the contributions of

Indian Americans to economic innovation and society generally;”¹¹ “H.Con.Res.264 - Expressing the sense of Congress to welcome the Prime Minister of India, Atal Bihari Vajpayee, on the occasion of his visit to the United States, and to affirm that India is a valued friend and partner and an important ally in the campaign against international terrorism;”¹² and “H.Res.562 - Expressing the sense of the House of Representatives that a postage stamp should be issued in commemoration of Diwali, a festival celebrated by people of Indian origin.”¹³

Subsequently, these actions assumed heightened vigour, with the creation of the India Caucus in the US Senate, the upper chamber of the US legislature. Established in 2004 by Sen. John Cornyn (R-TX) and Sen. Hillary Clinton (D-NY), who would later become secretary of state (2009–13), it was the first country-focused caucus established in the Senate.¹⁴ With its formation coinciding with the post-9/11 push of the Bush administration to court democratic partners, the stage was set for more concrete actions on strategic matters at the Capitol Hill.

Thus, even as the US and India were slowly inching towards negotiating the India–US Civil Nuclear Agreement, which would essentially end the US’ “nuclear apartheid”¹⁵ against India, the US Congress was at the forefront of testing the waters for an American strategic partnership with India.

Table 1: Key Congressional Actions on US–India Strategic Ties

Yr.	Bill / Amendment/ Sense of Chamber/ Resolution	Status	Co/Sponsored by past/current House/Senate India Caucus member	Significance
2005	S.1886 - Naval Vessels Transfer Act of 2005	Passed both chambers, and signed into law by the president	Bipartisan co-sponsorship by Sen. Richard Lugar (R-IN) and Sen. Joseph Biden Jr. (D-DE)	Led to India’s acquisition of the first US-built warship, the Austin-class amphibious transport dock ship Trenton. ¹⁶ Commissioned into the Indian Navy as INS Jalashva. ¹⁷
2006	H.R.5682 - Henry J. Hyde United States and India Nuclear Cooperation Promotion Act of 2006	Passed both chambers, and signed into law by the president	Yes Bipartisan co-sponsorship by Rep. Eliot Engel (D-NY-17) and Rep. Ileana Ros-Lehtinen (R-FL-18)	Instituted exemptions for India under the Atomic Energy Act of 1954, towards the India–US Civil Nuclear Agreement. ¹⁸
2008	H.R.7081 – United States–India Nuclear Cooperation Approval and Nonproliferation Enhancement Act	Passed both chambers, and signed into law by the president	Yes Sponsored by Rep. Howard L. Berman (D-CA-28)	Approved “the United States–India Agreement for Cooperation on Peaceful Uses of Nuclear Energy,” and strengthened US “Nonproliferation Law Relating to Peaceful

				Nuclear Cooperation.” ¹⁹
2010	S.3847 - Security Cooperation Act of 2010	Passed both chambers, and signed into law by the president	Sponsored by the senior US Senator (D-MA) and subsequently the US Secretary of State John Kerry	Although the transfer did not materialise, it authorised the president to transfer to India on “a grant basis” the Osprey class “minehunter coastal ships Cormorant and Kingfisher.” ²⁰
2016	H.R.4825 – U.S.– India Defense Technology and Partnership Act	Introduced, referred to the House Committee on Foreign Affairs	Yes Sponsored by Rep. George Holding (R-NC-13)	Directed the president to “take action to formalize India's status as a U.S. major partner” to “extend special foreign military sales status to India.” ²¹
2016	H.R.5387 - Special Global Partnership with India Act of 2016	Introduced; referred to the House Subcommittee on Trade	Yes Sponsored by Rep. Eliot Engel (D-NY-16)	Called on the president to “make India eligible for the strategic trade authorization exemption from having to obtain certain export control licenses.” ²²

2018	H.R.5515 - John S. McCain National Defense Authorization Act for Fiscal Year 2019	Passed both chambers, and signed into law by the president	Yes Co-sponsored by Rep. Adam Smith (D-WA-9)	Redesignated the Southeast Asia Maritime Security Initiative to the Indo-Pacific Maritime Security Initiative, to now also include India as a fund-recipient country. Instituted modified waiver authority under Section 231 of the Countering America's Adversaries Through Sanctions Act. ²³
2019	H.R.2123 – United States–India Enhanced Cooperation Act of 2019	Introduced; referred to the House Committee on Foreign Affairs	Yes Sponsored by Rep. Joe Wilson (R-SC-2)	Builds on H.R. 4825 to elevate the status of India on par with a "NATO ally," for the purposes of the Arms Export Control Act. ²⁴

One such step was the Naval Vessels Transfer Act of 2005, co-sponsored by Sen. Richard Lugar (R-IN) and Sen. Joseph Biden Jr. (D-DE), who subsequently became the US vice-president (2009–17). The Act was significant, as it led to India's acquisition of the first US-built warship: the Austin-class amphibious transport dock ship, Trenton. Being co-sponsored by the senior bipartisan pair of Lugar and Biden

ensured wide acceptability of the Act and set the ball rolling on the normalisation of the US' strategic tilt towards India. Thereafter, House India Caucus members, such as Rep. Eliot Engel (D-NY-17) and Rep. Ileana Ros-Lehtinen (R-FL-18), led the way on the formalisation of the civil nuclear agreement, encompassing a crucial amendment to the Atomic Energy Act of 1954.

Under President Barack Obama, the pace of such strategic developments slowed down momentarily. As Obama grappled with the financial crisis and the two inherited wars in Iraq and Afghanistan, the US Congress faced gridlock on account of rabid partisanship spurred by Tea Party conservatism. However, the Obama administration continued developing the strategic dynamic with India through intergovernmental actions such as the Defence Technology and Trade Initiative (DTTI), and defence interoperability agreements. Additionally, the Obama administration's "Pivot to Asia" policy underscored India's relevance, with Obama becoming the first US president to visit India twice during his tenure of two terms.

Under Trump, as the US Congress assumed a greater role in foreign-policy decision-making, a renewed vigour has become apparent with India Caucus-led Congressional actions. Rep. George Holding (R-NC-13) and Rep. Eliot Engel (D-NY-16) have introduced two legislations pertaining to special authorisations for India on US arms exports (See Table 1). In both cases, even as those legislations make their way through the legislative process, the Trump administration has enacted their prescriptions to grant India the status of "Major Defence Partner" and the Strategic Trade Authorisation-I (STA-I) clearance on purchasing licence-free space and defence technology. Meanwhile, in the context of US arms exports, the legislation introduced by Rep. Joe Wilson (R-SC-2) seeks to elevate India to a status on par with NATO allies. Some India Caucus members, e.g. Adam Smith (D-WA-9), have also led the way (in a

bipartisan manner) against Trumpian transactionalism. An example of this is the 2018 passage of modified waiver provision for India against US sanctions, under the Countering America's Adversaries Through Sanctions Act (CAATSA).

CONGRESSIONAL BIPARTISANSHIP ON INDIA: RARE CONVERGENCE AMIDST POLARISATION

In 1787, Thomas Jefferson wrote: "My idea is that we should be made one nation in every case concerning foreign affairs, and separate ones in what is merely domestic."²⁵ At varied points in the course of American foreign policy, the relevance of this idea has been apparent: from the state-directed effort to muster the "arsenal of democracy"²⁶ in the run-up to World War II, to the initial popular support for US' "responsibility" and "privilege to fight freedom's fight"²⁷ in the aftermath of the 9/11 attacks. Even in large parts through the Cold War, some core tenets of US foreign and security policy remained guarded under bipartisan vigour. For instance, unwavering US support for "special relationships," e.g. with the UK or Japan, and Washington's stewardship of liberal Wilsonian values were deemed as matters of partisanship stopping at the "water's edge."²⁸ In recent years, however, that Jeffersonian dictum has been under attack from intense political polarisation. The declining currency of liberal internationalism due to the rising support for Jacksonian populism, which abhors US activism abroad, has brought into question the US' traditional stewardship of the liberal world order.

The political faultlines in America that once plagued mostly domestic issues, such as gun control, immigration reform and universal healthcare, have now seeped into matters pertaining to foreign policy. The isolationist tendencies of conservative nationalism, emblematic in the rise of Donald Trump, brings into question the efficacy of the US extending its security umbrella over allies that have supposedly "taken

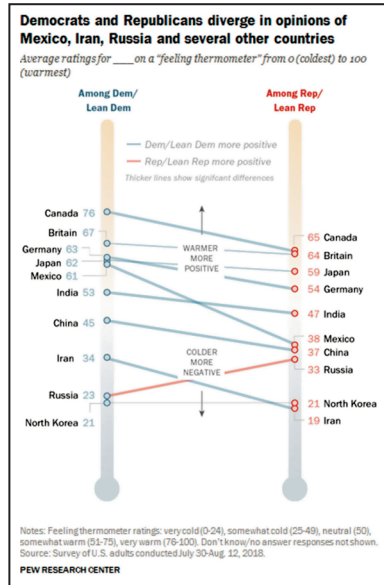
advantage”²⁹ of America by accumulating large trade surpluses. Moreover, support for US activism abroad seems to have declined as the US has engaged in expansive nation-building operations abroad, even as its own infrastructure is deemed to be “crumbling”³⁰ and legislative resolution on domestic contentions such as gun control and immigration continue to be stalled amidst rising partisanship.

Therefore, the once-fundamental tenets that informed the US’ role in the world are being challenged as the centre of gravity of the Republican and Democratic parties shift further into either’s populist corners. For example, the emerging faultline over the US’ support for Israel, wherein the more “progressive” faction of the Democratic Party has shed light on the overt influence of the Jewish lobbies over US foreign policy.³¹ Similarly, some senior Republicans have expressed ambivalence towards Trump’s embrace of “strongman leaders” around the world, thus espousing a point of contention over the US’ erstwhile stewardship of liberal democracies.³²

In contrast, support for the evolving US–India dynamic—and for India, by extension—remains a point of convergence for Republicans and Democrats on the Hill. This is evident in the heightened role of the US Congress and in Caucus members championing US–India strategic ties.

Three major factors explain the rising support for India despite intense polarisation. First, the US–India dynamic is unique, exempting India from much of the ire of conservative nationalists. In recent years, building on the shared democratic values between India and the US, the two nations have witnessed a steady development of strategic ties, especially in the realms of defence trade and force interoperability. This, despite India being a non-formal treaty partner of the US. Moreover, India’s continued quest for strategic autonomy—stemming from its non-aligned impulses—gives its dynamic with the US a unique

Figure 1 - Partisan Divides in Views of Countries-PEW research poll



Source: <https://www.people-press.org/2018/09/10/partisan-divides-in-views-of-many-countries-but-not-north-korea/>

character, devoid of alliance compulsions. Conservative nationalism dictates settling scores with allies who have benefitted from the US’ “70-odd year-period of largesse;”³³ this does not include New Delhi due to its lack of overt dependence on Washington. According to a late 2018 PEW poll,³⁴ India does not figure as high on the Democrats’ positive views as do treaty allies such as Canada or the United Kingdom; at the same time, it also does not figure prominently on the Republicans’ negative views towards US adversaries, as do North Korea or Iran (See Figure 1). Thus, India enjoys moderate to slightly favourable views amongst both parties. In the context of bipartisanship, apart from treaty allies Japan and the UK, India is the only country to have the narrowest divide between Democratic and Republican favourability ratings. Another poll by the Chicago Council found the divide between Republicans and Democrats on the desirability for India to “exert strong leadership in world affairs” to be “just five points.”³⁵

Second, the heightened bipartisan focus on recalibrating US–China ties has raised India’s stock in the US’ foreign and security policy. The Trump administration’s push to seek “fair and reciprocal trade”³⁶ with China has been backed by Congressional Republicans due to the centrality of blue-collar workers in their party’s conservative–nationalist bent. Since their defeat in the 2016 presidential elections, the Democrats, too, have acknowledged the ills of globalisation on Middle America, largely at the hands of China’s unfair trade practices. Thus, Democratic leader and Speaker of the House of Representatives Nancy Pelosi justifiably supported Trump’s initial round of tariffs on China and even advocated for the US to “take strong, smart and strategic action against China’s brazenly unfair trade policies.”³⁷

This convergence away from the parties’ past contention over the ideal approach—liberal internationalists’ engagement versus neoconservatives’ containment prescriptions—towards China has greatly contributed to the elevation of India’s significance. For instance, the Indo-Pacific strategy against Chinese grand strategic propositions, e.g. the Belt and Road Initiative, places special emphasis on Washington “building new and stronger bonds with nations that share our values across the region,” such as India.³⁸ India’s centrality in the US’ regional calculus is evident not only in the heightened adoption of the ‘Indo-Pacific’ moniker but also in the strategy’s fundamental goal to link the destiny of the Indian Ocean Region to that of Southeast Asia and the Western Pacific at-large.

Third, the influence of Indian-Americans on Capitol Hill and on America’s societal fabric has increased in recent years. The population of Indian-American diaspora has grown to nearly four million,³⁹ and they have emerged amongst the “richest ethnic communities” in America, with a median annual income of “approximately \$89,000 which is far

higher than the median annual income of the U.S. national at \$50,000.”⁴⁰ Moreover, Indians accounted for 17.9 percent of America’s total foreign students in 2017–18, effectively contributing US\$7.5 billion to the US economy.⁴¹ Finally, the rise of Indian-American legislators—known for their support for greater US engagement with India—to prominent positions consolidates the discussed bipartisan consensus. Some examples include Rep. Ro Khanna (D-CA) of the House Armed Services Subcommittees on Intelligence and Emerging Threats and Strategic Forces⁴² and Rep. Pramila Jayapal (D-WA) of the Congressional Progressive Caucus.⁴³ These factors raise the social consciousness on India and add to its influence amongst US legislators on the Hill.

The sustained consensus on India has already been seminal to the evolving dynamic of US–India relations. The US and India have had “convivial ties develop between Clinton and Vajpayee (a Democrat and BJP PM), Bush and Vajpayee (Republican and BJP PM), Bush and Dr. Manmohan Singh (a Republican and a Congress PM), Obama and Dr. Singh (a Democrat and a Congress PM), Obama and Modi (Democrat and BJP) and now between Trump and Modi (Republican and BJP PM).”⁴⁴ India must now take advantage of this unique bipartisan support, especially in these polarised times in the US. Going forward, India must adopt a pointed approach to not only further cultivate this consensus but also use it to generate policy outcomes that benefit India.

INDIA AND THE 116TH US CONGRESS: TRANSLATING INFLUENCE INTO POLICY OUTCOMES

In early 2019, the Trump administration informed the US Congress of its intent to suspend India’s designation as a beneficiary developing country under the Generalized System of Preferences (GSP)

programme. According to 2017 statistics, India was the largest beneficiary of the GSP, with a substantial portion of its goods enjoying duty-free access into the US. Its estimated value is US\$5.7 billion, i.e. over 12 percent of all Indian exports to the US in 2017.⁴⁵ The drive to suspend India's GSP status stemmed from the continued stalling of trade negotiations, now in its second year.

The timing of the announcement bore ominous prospects for the incumbent Modi government, as India was entering its general elections season. Acknowledging the potential impact, Rep. George Holding (R-NC), the co-chair of the Congressional Caucus on India and Indian Americans, reportedly wrote to the US Trade Representative to “postpone the termination of India's GSP eligibility and revisit this decision after India's general election.”⁴⁶ Similarly, the co-chairs of the Senate India Caucus Sen. John Cornyn (R-TX) and Mark Warner (D-VA) urged to “consider delaying” the suspension of India's GSP status,⁴⁷ warning of its counterintuitive effects. They wrote, “While we agree that there are a number of market access issues that can and should be addressed, we do remain concerned that the withdrawal of duty concessions will make Indian exports of eligible products to the United States costlier, as the importer of those products will have to pay a ‘Most Favoured Nation’ (MFN) duty which is higher than the rate under GSP.”⁴⁸ Although tempers briefly cooled in the Trump administration, India's GSP status was suspended right after the general elections ended.⁴⁹ The action not only had counterintuitive ramifications as predicted by Cornyn and Warner but also presented challenges with regards to the Trump administration's broader “trade war” with China.

According to a report by the Coalition for GSP (a group of American companies and trade associations) as US imports from China

decreased—under Section 301 tariffs—imports of some of those very products from GSP-status countries “increased the most in the first quarter of 2019.”⁵⁰ On India, the report noted that “97 percent of increased 2019 GSP imports” were for the products on the China Section 301 sanctions list. In figures, US imports from India of Section 301 products “increased by USD 193 million (18 percent).”⁵¹ The report also warned against terminating GSP status for countries such as India, as it would not only “hurt many American companies and workers that have relied on GSP for years, it would also reduce viable sourcing options for companies looking to buy less from China in response to Section 301 tariffs – thereby undermining the President’s own objectives.”⁵²

The Trump administration’s follow-through on the suspension reflected its disregard for the strategic relevance of India’s GSP status to the US’ own goals. Moreover, the action even stood in opposition to the US Congress’ 2018 reauthorisation (with unprecedented unanimity) of the GSP programme for another three years.⁵³ In many such cases of counterintuitive ramifications on US interests, the Congress has stepped in to correct the course of Trump’s foreign policy via amendments and/or stop-gap provisions to existing legislations. In India’s GSP case, however, it only led to the mere postponement of the decision until the Indian elections were through. An argument can be made that the reason behind the lack of more concrete action could have been the limited influence of the House and Senate India Caucuses amongst the foreign-policy legislators of the current 116th US Congress.

Going forward, to ensure the translation of its wide influence on Capitol Hill into concrete policy results in accordance with its interests (as well as the US’ interests, as in the GSP case), India must adopt a pointed approach in its engagement with the US Congress. To further

raise the consciousness on India's strategic value beyond the India caucuses, New Delhi must pay particular attention to the ordering of the House Foreign Affairs Committee (HFAC) and the Senate Foreign Relations Committee (SFRC). The HFAC and SFRC are the central platforms on the Hill, where the US' worldview is devised, informed and, at times, even corrected through concurrent amendments and legislations. Relative to other committees such as the Armed Services Committee, the foreign-affairs committees have an expansive purview over varied matters pertaining to an administration's foreign-policy conduct: aid dispensation, arms sales, trade authorisations, and more specificities via region- and issue-based subcommittees.

Recent reports have suggested that the Trump administration had been contemplating country-specific caps for India on H1-B visas as a bargaining chip. The administration considered capping the H1-B visas to 15 percent for any country that "does data localisation."⁵⁴ This bore "ominous prospects for India's \$150 billion IT sector as 70 percent of the 85,000 H1B visas issued every year go to Indians."⁵⁵ With the Trump administration linking issues across domains to achieve policy goals, the potential purview of HFAC and SFRC stands enhanced.⁵⁶ Consequently, they are best equipped to probe and possibly correct decisions that cut across multiple domains of American foreign policy, e.g. India's GSP issue.

However, the current ordering of the HFAC and SFRC reflects a limited presence of House and Senate India Caucus members. Consider Table 2 on the HFAC and its "Subcommittee on Asia, The Pacific, and Non-proliferation," which has purview over matters pertaining to India. Out of 47 committee members, a bipartisan mix of about 10 are known current or past members of the House's Congressional Caucus on India and Indian Americans. While that number includes influential members such as the Chair of the HFAC Rep. Eliot Engel (D-NY-16), the fact

remains that committees function on the principle of one member, one vote. On the subcommittee, only two out of 10 members are known current or past members of the House’s Congressional Caucus on India and Indian Americans. Moreover, both those members—Rep. Ami Bera (D-CA-07) and Rep. Brad Sherman (D-CA-30)—are Democrats hailing from the state of California, which may limit broad consensus.

India needs to step up efforts to cultivate HFAC legislators that are not India Caucus members, many of whom represent states that are home to sizable populations of Indian Americans, such as Texas, California, New Jersey, New York, Florida and Illinois.

Table 2: 116th Congress–US House Committee on Foreign Affairs ⁵⁷

Sr. no	Representative	Party	Congressional District	Subcommittee on Asia, The Pacific, And Non-proliferation ⁵⁸	Current/ Former Member of House India Caucus
1	Eliot Engel (Chairman)	D	New York – 16	-	Yes ⁵⁹
2	Michael McCaul (Ranking Member)	R	Texas – 10	-	No
3	Brad Sherman	D	California – 30	Yes (Chairman)	Yes ⁶⁰
4	Christopher Smith	R	New Jersey – 4	-	No
5	Gregory Meeks	D	New York – 5	-	No
6	Steve Chabot	R	Ohio – 1	-	Yes ⁶¹
7	Albio Sires	D	New Jersey – 8	-	Yes ⁶²
8	Joe Wilson	R	South Carolina – 2	-	Yes ⁶³

CULTIVATING THE BIPARTISAN CONSENSUS ON INDIA IN THE 116TH US CONGRESS

9	Gerald Connolly	D	Virginia – 11	Yes	No
10	Scott Perry	R	Pennsylvania – 10	Yes	No
11	Theodore Deutch	D	Florida – 22	-	No
12	Ted Yoho	R	Florida – 3	Yes (Ranking Member)	No
13	Karen Bass	D	California – 37	-	No
14	Adam Kinzinger	R	Illinois – 16	-	No
15	William Keating	D	Massachusetts – 9	-	No
16	Lee Zeldin	R	New York – 1	-	No
17	David Cicilline	D	Rhode Island – 1	-	No
18	Jim Sensenbrenner	R	Wisconsin – 5	-	No
19	Ami Bera	D	California – 7	Yes	Yes⁶⁴
20	Ann Wagner	R	Missouri – 2	Yes	No
21	Joaquin Castro	D	Texas – 20	-	Yes⁶⁵
22	Brian Mast	R	Florida – 18	Yes	No
23	Dina Titus	D	Nevada – 1	Yes	No
24	Francis Rooney	R	Florida – 19	-	No
25	Adriano Espaillat	D	New York – 13	-	No
26	Brian Fitzpatrick	R	Pennsylvania – 1	-	Yes⁶⁶
27	Ted Lieu	D	California – 33	-	Yes⁶⁷
28	John Curtis	R	Utah – 3	Yes	No
29	Susan Wild	D	Pennsylvania – 7	-	No

30	Ken Buck	R	Colorado – 4	-	No
31	Dean Phillips	D	Minnesota – 3	-	No
32	Ron Wright	R	Texas – 6	-	No
33	Ilhan Omar	D	Minnesota – 5	-	No
34	Guy Reschenthaler	R	Pennsylvania – 14	-	No
35	Colin Allred	D	Texas – 32	-	No
36	Tim Burchett	R	Tennessee – 2	-	No
37	Andy Levin	D	Michigan – 9	Yes	Unclear
38	Greg Pence	R	Indiana – 6	-	Unclear
39	Abigail Spanberger	D	Virginia – 7	Yes	No
40	Steve Watkins	R	Kansas – 2	-	Unclear
41	Chrissy Houlahan	D	Pennsylvania – 6	Yes	Unclear
42	Mike Guest	R	Mississippi – 3	-	No
43	Tom Malinowski	D	New Jersey – 7	-	Unclear
44	David Trone	D	Maryland – 6	-	No
45	Jim Costa	D	California – 16	-	Yes ⁶⁸
46	Juan Vargas	D	California – 51	-	No
47	Vicente Gonzalez	D	Texas – 15	-	No

Consider Table 3 on the SFRC and its “Subcommittee on Near East, South Asia, Central Asia and Counterterrorism.” Out of 22 Committee members, about nine— of which seven are Democrats—are known current or past members of the Senate’s India Caucus. Prominent Republican Sen. Lindsey Graham is in this list of nine, which raises

bipartisan points and relevance due to his proximity to President Trump on defence issues. In the case of the subcommittee, at least five out of the nine members are known current or past members of the Senate’s India Caucus. However, with most of them being Democrats, bipartisan consensus may be impeded due to the Republicans’ control of the US Senate. India must cultivate prominent Republican foreign-policy voices such as Sen. Rand Paul (R-KY) and Marco Rubio (R-FL).

Table 3: 116th Congress–US Senate Committee on Foreign Relations ⁶⁹

Sr. no	Senator	Party	State	Subcommittee on Near East, South Asia, Central Asia, And Counterterrorism ⁷⁰	Current/ Former Member of Senate India Caucus
1	James E. Risch (Chairman)	R	Idaho	-	No
2	Robert Menendez (Ranking Member)	D	New Jersey	-	Yes ⁷¹
3	Marco Rubio	R	Florida	-	No
4	Ben Cardin	D	Maryland	Yes	No
5	Ron Johnson	R	Wisconsin	-	No
6	Jeanne Shaheen	D	New Hampshire	Yes	Yes ⁷²
7	Cory Gardner	R	Colorado	Yes	Yes ⁷³
8	Christopher Coons	D	Delaware	-	Yes ⁷⁴
9	Mitt Romney	R	Utah	Yes (Chairman)	Unclear ⁷⁵
10	Tom Udall	D	New Mexico	-	No

11	Lindsey Graham	R	South Carolina	Yes	Yes ⁷⁶
12	Christopher Murphy	D	Connecticut	Yes (Ranking Member)	Yes ⁷⁷
13	Johnny Isakson	R	Georgia	-	No
14	Tim Kaine	D	Virginia	Yes	Yes ⁷⁸
15	John Barrasso	R	Wyoming	-	No
16	Edward J. Markey	D	Massachusetts	-	No
17	Rob Portman	R	Ohio	-	No
18	Jeff Merkley	D	Oregon	-	Yes ⁷⁹
19	Rand Paul	R	Kentucky	Yes	No
20	Cory Booker	D	New Jersey	-	Yes ⁸⁰
21	Todd Young	R	Indiana	-	No
22	Ted Cruz	R	Texas	Yes	No

In addition to having oversight powers, the HFAC and the SFRC are important for some of India's other interests pertaining to its ties with the US. Under Trump, the HFAC in the Democrat-led House of Representatives is perhaps the only committee that isn't plagued by other partisan issues, e.g. Trump's possible obstruction of justice on the Mueller investigation or the probe into Trump's alleged strong-arming of Ukraine to investigate presidential-hopeful and Democrat-front runner Joe Biden. Moreover, the HFAC now enjoys a degree of bipartisanship given the Republicans' understated "concerns with Trump's foreign policy decisions and his posture on the world stage."⁸¹ Thus, it can be a crucial bipartisan platform for India to tap into, for instance, with respect to its purview over the State Department's

Political-Military Affairs (PM) Bureau. It is the PM Bureau that “advances the defense trade relationship and broader security partnership between the United States and India.”⁸² Specifically, the PM Bureau is the nodal department that facilitates both tracks of US arms exports: the Foreign Military Sales and Direct Commercial Sales processes. India has a crucial stake in ensuring that transactionalism does not raid ongoing processes over the acquisition of the MTCR Category-1 Unmanned Aerial System Sea Guardian drones, and the multi-role MH-60R Seahawk maritime helicopters.

The SFRC is equally important due to its role in confirming State Department nominations for crucial positions such as the US Ambassador to India and Assistant Secretary for South and Central Asian Affairs; the latter remains unfilled till date.⁸³ Recently, the US Congress amended section 1292 of the NDAA for FY2017 in the “H.R.5515 - John S. McCain National Defense Authorization Act for Fiscal Year 2019,” to mandate the executive to submit annual reports on Indo-US defence interoperability. The SFRC would be the ideal platform for New Delhi to have the legislature mandate an annual report from the executive on the US–India Defense Technology and Trade Initiative, possibly by a perfecting amendment to an upcoming resolution.⁸⁴ It is in India’s interest to seek the Congress’ intervention on ongoing issues in the workings of the DTTI, e.g. the abrupt downsizing of the India Rapid Reaction Cell at the Pentagon in 2018.


It is commendable that the executive has taken the lead to put into action the Major Defence Partner status and STA-I for India. However, through intense engagement with the HFAC and SFRC, India must ensure that those designations are grounded in legislative precedents. Their institutionalisation in legislations will go a long way in building a stable trajectory of US–India defence ties, protecting India against the idiosyncrasies of the incumbent executive administration.

CONCLUSION

Many of the challenges currently facing US–India ties stem from the overt dependence on a top-heavy approach to the dynamic. In the past, this approach of reliance on the personal dynamics between the respective heads of government was crucial to wade through conflictual points such as the US’ opposition to India’s nuclear programme. Today, however, US–India ties have assumed a multidimensional character, from bilateral trade now rapidly inching towards the US\$150-billion mark to India conducting most of its military exercises with the US. This merits more champions of greater ties between the two countries on multiple levels.⁸⁵

There is a result-oriented precedent to this. For instance, the active cabinet-level relationship between former Secretary of Defence Ashton Carter and then-Raksha Mantri Manohar Parrikar spurred the swift development of the US–India Defence Technology and Trade Initiative. Thus, going forward, consultative platforms such as the one between the respective heads of foreign and defence departments, i.e. the US–India 2+2 dialogue, are likely to lead the cultivation of bilateral ties.

Moreover, as the US Congress assumes a greater role in the US’ foreign policy decision-making, and India continues to be a point of convergence amidst intense polarisation on the Hill, New Delhi must promote such ties with the US legislature. In the recent past, at least on two occasions (2007⁸⁶ and 2009⁸⁷), Jim McDermott (D-WA-7) introduced the “US–India Interparliamentary Exchange Act,” to institute a practice of delegations from the US Congress annually meeting with representatives of the Parliament of India. While the resolution never came up for a vote, and McDermott is no longer in public service, India and the US could carry forward McDermott’s legacy.

There is an urgent need for India to nurture the bipartisan fervour regarding US–India ties on the Hill. At the recent Congressional hearings on Kashmir, US bipartisan support for India came under threat of partisan politics, as Democrats criticised Trump’s ambivalence on India’s communications lockdown in Kashmir and Republicans dampened criticism of Trump by making a case against a values-centric US foreign policy.⁸⁸ This was due to the bipartisan consensus on US foreign policy fracturing in recent years, and President Trump’s transactional foreign-policy conduct emerging as the lead contention for the Democrat-led impeachment proceedings. Amidst this highly divergent environment, New Delhi must not only strive to ensure the US’ continued bipartisan support but also seek greater representation in the foreign-policy establishment of the 116th Congress. 

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