

## NATO ALLY STATUS UNLIKELY NOW

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The U.S. House Committee on Rules voted on Tuesday night to send a watered-down version of an amendment to enhance defence cooperation with India to the full House floor for a vote.

The new India NDAA amendment, a part the House's version of the National Defense Authorization Act (NDAA) FY 2020, replaces a significantly stronger amendment (the "Sherman Amendment") that sought to place India on a par with the U.S.'s NATO allies by amending the Arms Export Control Act (AECA), a U.S. law that governs the sale of high-end defence equipment to other countries.

Concerns over India's purchase of the S-400, turf battles between the Armed Services and Foreign Affairs Committees and some State Department opposition are likely to have contributed to the watering down of the amendment. Nevertheless, what passed the Senate and what is being considered by the House, provides some direction to the executive with regard to bolstering India-U.S. defence cooperation, although falling short of the original legislative goal. This comes days after Secretary of State Michael Pompeo travelled to New Delhi to push for stronger U.S.-India ties across the board.

The original House amendment was submitted by Brad Sherman, a California Congressman who is co-Chair of House India Caucus and heads the Asia Pacific subcommittee of the House Foreign Affairs Committee. Despite having bi-partisan support and co-sponsors from both sides of the aisle, the amendment did not make it to the House Rules Committee — a fate similar to the corresponding amendment in the Senate, submitted by Mark Warner (Democrat, Virginia) and John Cornyn (Republican, Texas) which also sought to give India NATO-equivalent status for arms sales.

A source outside Congress who had worked on the legislation said India's plans to purchase the S-400 Triumf missile shield from Russia made some in the Senate (and House) wary and came in the way of the original amendment making it to the final package in both legislative chambers. This view was supported by at least one person in Congress.

"It's hard to go after Turkey for the S-400 purchase and allow India a boost in the same Bill," a Congressional aide, who did not want to be named, told *The Hindu*. The NDAA Bills (House and Senate versions) limit transfer of F-35 aircraft to Turkey unless Turkey can provide assurances that it is not accepting delivery of the S-400.

"It's always disappointing when strong bipartisan legislation on India doesn't get across the finish line. Policymakers should understand that we need to boost India as a counter to China and that we can't let India's relationship with Russia get in the way," Mukesh Aghi, president and CEO of the U.S.-India Strategic Partnership Forum, told *The Hindu*. The original AECA amendments also became a casualty of turf-related issues between the House Foreign Affairs Committee and Committee on Armed Services and the corresponding committees in the Senate.

AECA is the statute which authorises the Foreign Military Sales (FMS) program through which the U.S. sells arms abroad and the procedure is less complicated if the purchaser is a NATO ally or Japan, South Korea, Israel, Australia or New Zealand.

The Sherman amendment in the House and Warner/Cornyn amendment in the Senate, sought to add India to the list of non-NATO allies listed above.

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