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## United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

March 17, 2021

The Honorable Lloyd J. Austin  
Secretary of Defense  
U.S. Department of Defense  
1000 Defense Pentagon  
Washington, D.C. 20301

Dear Secretary Austin:

I write ahead of your trip to India to urge you to raise democracy and human rights concerns in your discussions with the Indian government. I would like to see the U.S.-India partnership grow, but we must acknowledge that the partnership is strongest when based on shared democratic values and the Indian government has been trending away from those values. I also expect that you will raise the administration's opposition to India's reportedly planned purchase of the Russian S-400 missile defense system, which threatens future U.S.-India defense cooperation and puts India at risk of sanctions under Section 231 of the Countering America's Adversaries Through Sanctions Act (CAATSA).

The Indian government's ongoing crackdown on farmers peacefully protesting new farming laws and corresponding intimidation of journalists and government critics only underscores the deteriorating situation of democracy in India. Moreover, in recent years, rising anti-Muslim sentiment and related government actions like the Citizenship Amendment Act, the suppression of political dialogue and arrest of political opponents following the abrogation of Article 370 in Kashmir, and the use of sedition laws to persecute political opponents have resulted in the U.S. human rights group Freedom House stripping India of its 'Free' status in its yearly global survey.

As the Interim National Security Strategic Guidance states, "democracy is essential to meeting the challenges of our time." We should seek to partner with India to address challenges from China to climate change, but in doing so we cannot let our democratic values fall away. I urge you to raise the importance of democracy and human rights in your meetings with Indian officials to make clear that respect for democratic values is necessary for strong, sustainable U.S.-India relations.

India's planned purchase of the Russian S-400 missile defense system is also a matter of concern. I recognize that India is not a U.S. treaty ally and has historical ties with the Soviet and Russian militaries. However, if India chooses to go forward with its purchase of the S-400, that act will clearly constitute a significant, and therefore sanctionable, transaction with the Russian defense sector under Section 231 of CAATSA. It will also limit India's ability to work with the U.S. on development and procurement of sensitive military technology. I expect you to make all of these challenges clear in conversations with your Indian counterparts.

Getting the U.S.-India partnership right is critical to addressing 21<sup>st</sup> century challenges, and that includes urging the Indian government to uphold democratic values and human rights. In meetings with Indian counterparts during your upcoming visit, I strongly encourage you to make clear that in all areas, including security cooperation, the U.S.-India partnership must rest on adherence to democratic values.

Sincerely,

A handwritten signature in blue ink that reads "Robert Menendez." The signature is fluid and cursive, with a prominent initial "R" and a long, sweeping tail on the "z".

Robert Menendez  
Chairman