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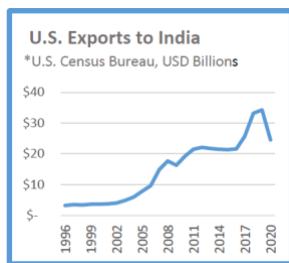
UNITED STATES-INDIA RELATIONS

By Sophia Fend

INTRODUCTION

The United States and India, as the world's two largest democracies, share common values of freedom, democracy, and respect for human rights (Department of Defense, 2019). Over the past two decades, the bilateral relationship between the US and India has grown remarkably, evolving from practical estrangement during the Cold War to a strategic partnership across several dimensions. Today, the United States and India collaborate on a wide range of issues, including trade and investment, defense and security, energy, climate change, healthcare, and education.

The purpose of this policy briefing is twofold. Firstly, it should provide an overview of the history and current dynamics shaping U.S.-India relations. Secondly, it will propose key policy recommendations that can further strengthen and deepen this critical partnership, enabling both countries to navigate global challenges and emerge as global leaders. As delegates, however, you are not only free to but encouraged to venture beyond this briefing and ideate meaningful points of discussion and potential policy ideas.



Since liberalization began in India in 1991, U.S. corporate interest in India has been increasing.
(CSIS, 2021)

EXPLANATION OF THE ISSUE

Historical Development

US-India relations have evolved substantially since India gained independence and began its liberalization. Specifically, there have been several key phases in the historical development that inform the state of US-India relations today.

Early Years

In 1947, the United States became one of the first countries to officially recognize India's independence. However, with the

simultaneous advent of the Cold War, **bilateral relations** were limited as India's foreign policy remained unaligned with either the United States or the Soviet Union (CFR, 2020).

Liberalization

By the end of the Cold War, India was in a dire economic crisis. In response—in 1991—it began an economic liberalization process. This included various reforms, such as abolishing licensing requirements that restricted the private sector, encouraging foreign countries to invest in India, and reducing import tariffs, as well as several financial sector and fiscal policy reforms to encourage growth and reduce fiscal deficits. These reforms marked a shift in India's economic trajectory and laid the foundation for India's role as an important player in the global economy. Consequently, within the context of the United States, these changes also facilitated new engagement, improving the bilateral relationship through trade expansion and economic cooperation (CFR, 2020).

Strategic Partnership

The early 2000s brought increased collaboration between India and the United States. Specifically, the Next Steps for Strategic Partnership (NSSP)—which the United States and India signed in 2005—formally set the stage for collaboration in areas such as defense, counterterrorism, and nuclear cooperation (U.S. Department of State, 2005). This cooperation was further solidified with the 2008 US-India Civil Nuclear Agreement, which lifted restrictions on India's ability to access nuclear technology and fuel, thus allowing nuclear cooperation between the U.S. and India. In recent years, this defense collaboration has expanded further, with the U.S. designating India as a major defense partner. In turn, this has paved the way for joint military exercises, defense trade, technology transfer, and, more broadly, dialogue between the two countries for enhanced security cooperation (CFR, 2010).

Trade Relations

In light of increased strategic bilateral relations, economic ties further grew. Indeed, in 2005 the U.S. Trade Policy Forum was established to encourage dialogue on trade-related issues, and now the United States is one of India's largest trading partners (U.S. Department of State, 2005).

Regional Cooperation

In recent years, the United States has increasingly recognized India's role in regional security in the Indo-Pacific region, particularly with regard to balancing Chinese hegemony, or state dominance. Since 2017, both the U.S. and India have collaborated with Japan and Australia in the evolution of the Quadrilateral

Bilateral relations – political, economic, or cultural relations and agreements on mutually accepted terms and conditions between two states

Consequently, within the context of the United States, these changes also facilitated new engagement, improving the bilateral relationship through trade expansion and economic cooperation.

Security Dialogue (“the Quad”), which is a strategic security dialogue that has been oriented around this general effort for regional cooperation (Wei, 2022).

Scope of the Problem

The historical development of U.S.-India relations has been a complex process with various sources of influence. Today, the geopolitical landscape between the two countries remains dynamic with a few key issues discussed below.

Trade and Market Access

Trade and market access have been a focal point of tension in US-India relations. Both parties have imposed tariffs on several goods, raising concerns about market restrictions and trade barriers. Indeed, the US and India have held disagreements for years about tariffs and foreign investment caps. High Indian tariffs have been imposed on a variety of goods, particularly agricultural, informational, and communication technology products (CFR, 2020). These tensions build on existing concerns about intellectual property rights held by the US over the last few decades, as well as tensions exacerbated under the Trump Administration.

Though not previously one of the primary trade concerns, bilateral trade deficits between the US and India came into the spotlight during the Trump presidency. In 2017, Trump issued an Executive Order that required a study of US trade deficits, finding that trade with India represented the tenth-largest trade deficit for the United States in 2016 (U.S. Census Bureau, 2016). In response, the Trump administration imposed new tariffs in 2018 on steel and aluminum in several countries, including India. However, India retaliated by filing a list of its own tariffs with the **World Trade Organization (WTO)**, but initially held off on imposing them. This changed, however, when the Trump Administration removed India from the **Generalized System of Preferences (GSP)**, stemming from concerns that the US experiences trade barriers in India. Following India’s implementation of these tariffs, the U S filed a dispute with the WTO; however, the tariffs have yet to be lifted. In turn, complex trade tensions remain an ongoing problem (PIIE, 2019).

Data Localization and Intellectual Property Rights

Within this broader trade context, the United States has expressed sustained concerns about India's **intellectual property rights (IPR)** regime, particularly in sectors such as pharmaceuticals and software. Since 1989—when the U.S. filed a “Special 301 report” mandated by Congress to identify intellectual property issues in trade— India has been among eight countries on a priority watch list due to issues related to patent protection,

Intellectual Property Rights – legal protections granted to individuals or entities for their creative or innovative works, granting them exclusive rights to use, distribute, and profit from their intellectual creations.

copyright enforcement, and the perceived lack of adequate market access for American companies within these sectors. Over the years, India has made some progress, such as amending its patent act in 2005; however, India remains on the watch list, with the United States raising continued concerns regarding patent protections, restrictive standards for patents, and licensing, among others in a 2018 “Special 301 report” (Office of the United States Trade Representative, 2022).

IPR concerns have been further exacerbated by the increasing prevalence of the **digital economy**. With India’s significant role in information technology, it operates through many US platforms and companies. Not only does the use of these platforms generate significant revenue for the country (Hindustan Times, 2019), but it has also raised privacy concerns about these resources and the data linked to them. Notably, these concerns have worsened since 2018 when India’s central bank ordered that payment systems in India, including credit cards and platforms like PayPal, store their data on local servers within the country (Financial Express, 2019). Indeed, since this policy restricted both the storage and transfer of data outside of India, many foreign governments and technology companies viewed this policy as a restriction on digital trade (Raghuraman, 2022). As such, recently, India has tried to compromise on its localization policies with a data privacy bill, which would allow localized data to flow into “certain certified countries.” Nevertheless, worries about which countries would be included in this remain a concern for the United States (Atlantic Council, 2022).

Climate Change and Clean Energy

Climate and clean energy concerns between the United States and India have been significant. Both play a major role in the global economy and are among the leading greenhouse gas emitters. The United States has historically been one of the largest emitters of greenhouse gases, primarily due to its extensive use of fossil fuels. However, in recent years, the U.S. has made efforts to reduce emissions and transition to cleaner energy sources. India, on the other hand, is currently the world's third-largest emitter, largely due to its rapidly growing population and expanding industrial sector.

Though both countries face unique challenges and have different priorities when it comes to addressing climate change, U.S.-India relations have aimed at enhancing bilateral climate change cooperation for many years now. While the U.S.-India Partnership to Advance Clean Energy was first implemented in 2009 (Office of International Affairs) and the two have agreed upon various renewable energy goals over the years, such as the intended goal to increase India’s solar capacity to 100 GW by 2022 or both signing onto the **Paris Agreement**, bilateral efforts suffered when the U.S.

Paris Agreement – a global effort to combat climate change by limiting global temperatures to less than 2 degrees Celsius above pre-industrial levels.

Non-proliferation – the prevention or limitation of the spread of nuclear weapons, other weapons of mass destruction, and their delivery systems, through international agreements, safeguards, and diplomatic ends.

temporarily withdrew from the agreement during the Trump administration. Nevertheless, upon rejoining under President Biden's administration, U.S.-India climate cooperation has benefited. For example, the U.S. and India recently launched the U.S.-India Climate and Clean Energy Agenda 2030 Partnership, under which President Biden and Prime Minister Modi have set several 2030 goals for climate action and clean energy. Some of these goals include a U.S. reduction in net greenhouse gas emissions to levels 50 percent below 2005 and India's target of installing 450 gigawatts of renewable energy. Broadly, this partnership represents a shared commitment between the U.S. and India to bilateral collaboration in addressing climate (U.S. Department of State, 2022).

Iran and Energy Security

The United States and India have a complex relationship regarding Iran's nuclear security. While both countries share concerns about nuclear proliferation and the stability of the Middle East, they have approached the Iran nuclear issue from different perspectives.

The United States has been an advocate for **non-proliferation** and has expressed concerns about Iran's nuclear program. In 2015, the U.S., in collaboration with other world powers, negotiated the Joint Comprehensive Plan of Action (JCPOA), also known as the Iran nuclear deal. Under the agreement, economic sanctions on Iran were relaxed in exchange for the country limiting its nuclear activities. However, in 2018, the Trump administration withdrew the United States from the agreement, imposing new sanctions on Iran and straining relations with some of its allies (CFR, 2022).

On the other hand, India has taken a more nuanced approach to this issue, advocating for resolution via diplomatic negotiation. While India has expressed support for JCPOA, India has also had to account for energy security needs and economic ties with Iran, as it supplies India with significant amounts of oil and gas. U.S. sanctions on Iran created challenges for India, as it had to reduce its oil imports from Iran and explore alternative sources (Brookings, 2019).

Despite these challenges, the U.S. and India still share common ground on issues related to Iran's nuclear security. Indeed, both countries share an interest in preventing nuclear proliferation and maintaining stability in the region. This could create opportunities for the United States and India to collaborate on diplomatic solutions.

Congressional Action

While much of the current action in the region has been dominated by concerns related to China, in addition to recent actions cited previously, several pieces of legislation with bearing on U.S.-

India relations have recently been introduced in the House of Representatives, such as the International Nuclear Energy Act of 2023 (H.R.2938), as well as some in the Senate, such as the International Nuclear Energy Act of 2023 (S.826). That being said, all of these pieces of legislation have yet to be voted on by any governmental body.

Other Policy Action

Other relevant bodies involved in potential policy action within the U.S. government include the Office of the United States Trade Representative, which is responsible for overseeing trade concerns, advising the President on trade issues, and bringing trade matters to the World Trade Organization.

IDEOLOGICAL VIEWPOINTS

Conservative View

As illustrated by the overarching conservative perspective on foreign affairs, conservatives approach U.S.-India relations from a **realpolitik** perspective, focusing on advancing American national interests. This broader philosophy influences their stance on both trade and security relevant to U.S.-India relations.

Within the context of trade concerns, conservatives often see India as a potential market for U.S. goods and services. They may support trade liberalization measures, reducing trade barriers, and enhancing bilateral economic ties to promote American business interests and job creation.

Regarding international security and stability, conservatives generally view India as a crucial strategic partner in countering regional threats, particularly in the context of China's rising influence. As such, they often advocate for closer defense and security cooperation to maintain stability in the Indo-Pacific region. Moreover, since conservatives generally prioritize counterterrorism efforts, they similarly emphasize the importance of intelligence sharing and joint counterterrorism efforts within the context of U.S.-India relations.

Liberal View

Liberals generally support multilateral approaches to global challenges. They may prioritize international cooperation, including working with India, on issues such as climate change. Indeed, they often prioritize climate change mitigation and clean energy cooperation, encouraging the U.S. and India to collaborate on renewable energy initiatives, technology transfer, and joint research

Realpolitik – a set of political principles oriented around practical as opposed to moral or ideological considerations .



Installation of solar panels in a solar park in Charanka, India.

(CAP, 2021)

to combat climate change. Moreover, liberals typically support open trade and economic engagement. They may advocate for strengthening economic ties with India, promoting fair trade practices, and addressing issues related to intellectual property rights, labor standards, and environmental protections.

AREAS OF DEBATE

Seeing as much of the issues concerning U.S.-India relations have to do with third parties on the global stage, such as China and Iran, many of the policy considerations surrounding U.S.-India relations orient around these broader geopolitical issues.

Oil Sanctions

Under the Trump administration, the United States had imposed sanctions on Iran as part of its "maximum pressure" campaign. These sanctions targeted various sectors of Iran's economy, including its oil and gas industry, in an effort to curb Iran's nuclear program and alleged support for terrorism. This created a source of tension with Indian trade with Iran since the country provides one of its primary sources of energy. As a result of these sanctions, India has been purchasing more U.S. and Saudi oil but still faces concerns regarding its energy supply (CNN, 2019). To quell concerns stemming from India's trade with Iran, the United States initially granted India a waiver from some of the sanctions, allowing it to continue importing a limited amount of crude oil from Iran.

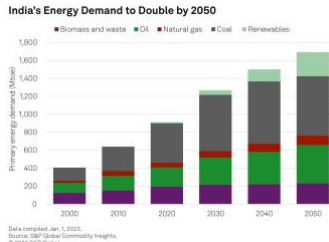
While this waiver was favorable for India, it has been controversial within the U.S. government. It was revoked under the Trump administration in 2019 to increase pressure on Iran (BBC, 2019), but was reinstated under the Biden administration in 2022 in order to facilitate diplomatic negotiation (Reuters, 2022). Debate around these sanctions with regard to Indian trade has only increased in light of the war in Ukraine. Russia and Iran have established trading patterns that cut through European and American sanctions and have been seeking to partner with India in trade (Bloomberg, 2022). The question that Washington faces now is whether to tighten sanctions on Indian trade with Iran and Russia or to preserve India's trading autonomy to increase diplomatic negotiations.

Political Perspectives on this Solution

As illustrated by policy changes under the Trump and Biden administrations, conservative and liberal views on this issue differ according to party lines. Conservatives, who tend to be in favor of harsher strategies for defense in this regard, generally support



In 2022, trade between India and Iran grew by 48%, reaching \$2.5 billion. (The Wire, 2023)



India's energy needs have more than doubled since 2000, indicating that a more robust solution is necessary (IEA, 2021)



India is already grappling with the effects of climate change, such as recent forest fires. (Hindustan Times, 2023)

increasing sanctions to crack down on Iran and Russia, regardless of the effects on Indian trade. Liberals, on the other hand, place more priority on international cooperation and tend to prefer prioritizing diplomatic negotiations by maintaining the waiver, even though this oil trade causes tension with some of the climate efforts. As such, Biden currently remains in favor of waiving the sanctions on India. However, this could change as the situation unfolds.

For additional sanctions to be implemented, the House Foreign Affairs Committee plays an important role. While the committee does not directly implement sanctions, it plays a crucial role in shaping and overseeing U.S. foreign policy, including the formulation and recommendation of sanctions legislation.

Financial and Technological Assistance for Clean Energy Sources

While climate collaboration between the U.S. and India has made important strides with the launching of the U.S.-India Climate and Clean Energy Agenda 2030, many still argue that these efforts are insufficient. As such, one potential policy solution would be increasing financial and technological support for India in its transition to more renewable energy sources. This could address several concerns regarding current efforts. Not only would providing economic support reduce imbalances between the U.S. and India, but this support can also help address the costs associated with clean energy transitions, create green jobs, and ensure a just transition for communities affected by the shift away from fossil fuels. Moreover, this can allow India to adopt a more comprehensive approach to climate solutions that would be able to develop resilience measures for the existing impacts of climate change. Additionally, an important component of assistance could include the transfer of clean energy technologies from the U.S. to India. This can be achieved through collaborative research and development, intellectual property rights mechanisms, and knowledge-sharing platforms that enable the transfer of sustainable and affordable technologies. Notably, however, this would likely require improved policy action on IPR concerns, as well as the fact that it would place some financial burden on the United States as we try to address our own climate problems.

Political Perspectives on this Solution

As with most climate policies, this solution would likely have clear party divisions. Conservatives who are much more in favor of prioritizing the U.S. economy, would likely not be in favor of providing financial and technological assistance to India. Meanwhile, more liberals would likely be in favor of increasing climate-oriented solutions. Some other relevant stakeholders

include countries trading oil with India such as Iran and the United States, as well as American clean energy companies. As such, this solution is relevant in the context of concerns involving trade with Iran, making bipartisan division perhaps less rigid than one might expect.

Intellectual Property Law and Enforcement

Though many Intellectual Property Rights concerns with India have to do with regulation within the country itself, IP is an international issue and the U.S. can play a significant role in addressing problems through both bilateral communication and collaboration as well as domestic legislation. While some may be tempted to take more forceful measures in addressing IP protections in India, neither liberals nor conservatives are in favor of restricting U.S. trade with India, despite IP concerns. As such, the United States can encourage better IP law and enforcement through summits, forums, and task forces, which already proved to be effective under the Obama administration. Indeed, the Global Intellectual Property Center cites that an effective way for the U.S. to improve the IP situation in India is by encouraging India's IP law development and enforcement (Brookings, 2016). Congress has authority over trade policy and can influence negotiations of trade agreements with India, which can include provisions related to intellectual property protection and enforcement in trade agreements, ensuring that these concerns are addressed within India.

Political Perspectives on this Solution

While concerns related to IP and India are not clearly divided along party lines, some conservatives may favor harsher policies that pressure India to crack down on IP enforcement. That said, since the resolution of this issue without sacrificing trade is dependent on Indian policy and enforcement, the general consensus is that bilateral cooperation would be a more effective policy route.

BUDGETARY CONSIDERATIONS

Different policy actions can require very different budgetary considerations. Actions related to sanctions or IP enforcement do not require any upfront costs; however, they could have downstream effects on trade. While some of these trade effects could be harmful to the U.S. Economy, many would likely be beneficial, such as increased oil purchasing from the United States or improved IP engagement with U.S. companies. On the other hand, policy solutions oriented around providing economic or technological support are likely to be very expensive, depending on the amount of support provided.

CONCLUSION

In conclusion, the U.S.-India relationship holds immense potential and significance in the current global landscape. Strengthening this partnership is not only crucial for the interests of both nations but also for advancing shared values and addressing common challenges. As we look ahead, individual representatives in Congress will face dilemmas that require thoughtful consideration and careful decision-making.

Representatives will grapple with balancing economic interests and concerns related to intellectual property rights, market access, and fair-trade practices. They will need to navigate these complexities to ensure a level playing field for American businesses while also fostering an environment that promotes innovation, investment, and job creation. Moreover, they will also face dilemmas regarding security and defense cooperation with India. They will need to strike a delicate balance between supporting India's rise as a regional and global security partner, while also addressing concerns related to non-proliferation and regional stability. Balancing these priorities will require careful policy formulation and a nuanced understanding of the evolving geopolitical landscape. Lastly, climate change poses an existential threat that requires concerted global efforts, and the United States and India are among the world's largest emitters of greenhouse gases. Representatives will need to navigate the delicate balance between advocating for ambitious climate targets, supporting clean energy transitions, and respecting the diverse energy needs and developmental aspirations of both nations.

Navigating these dilemmas requires a comprehensive and nuanced approach, requiring continued engagement, dialogue, and collaboration between representatives in Congress, the executive branch, civil society organizations, and other stakeholders. By addressing these dilemmas head-on with creative solutions—particularly, ones that may combine or introduce new policy proposals—representatives can help shape a U.S.-India partnership that not only serves the interests of both nations but also promotes global stability, economic prosperity, and shared values.

GUIDE TO FURTHER RESEARCH

Helpful sources for further research include but are not limited to the following:

1. Government Sources: U.S. Department of State, U.S. Embassy in India, Ministry of External Affairs (MEA)

2. Think Tanks and Research Institutes: Carnegie Endowment for International Peace, Center for Strategic and International Studies (CSIS), Observer Research Foundation (ORF), Hudson Institute.
3. Academic Journals: Journal of Indo-Pacific Affairs, India Review, Asian Survey.
4. Books and Publications: "The India Way: Strategies for an Uncertain World" by S. Jaishankar, "Engaging India: Diplomacy, Democracy, and the Bomb" by Strobe Talbott, "India at the Global High Table: The Quest for Regional Primacy and Strategic Autonomy" edited by Arvind Gupta and Yogesh Joshi.
5. News Outlets: The Economist, The Times of India, The Diplomat.

Remember to critically evaluate sources, consider multiple perspectives, and seek a balanced understanding of the complex dynamics that shape U.S.-India relations.

GLOSSARY

Bilateral relations – political, economic, or cultural relations and agreements on mutually accepted terms and conditions between two states

Generalized System of Preferences – a special trade treatment for developing countries

Intellectual Property Rights – legal protections granted to individuals or entities for their creative or innovative works, granting them exclusive rights to use, distribute, and profit from their intellectual creations.

Non-proliferation – the prevention or limitation of the spread of nuclear weapons, other weapons of mass destruction, and their delivery systems, through international agreements, safeguards, and diplomatic ends.

Paris Agreement – a global effort to combat climate change by limiting global temperatures to less than 2 degrees Celsius above pre-industrial levels.

Realpolitik – a set of political principles oriented around practical as opposed to moral or ideological considerations.

World Trade Organization – an intergovernmental organization that regulates trade rules.

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