

116TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To require a joint resolution of approval for the entry into effect of a civilian nuclear cooperation agreement with Saudi Arabia, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Mr. MARKEY (for himself and Mr. RUBIO) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To require a joint resolution of approval for the entry into effect of a civilian nuclear cooperation agreement with Saudi Arabia, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Saudi Nuclear Non-  
5 proliferation Act of 2019”.

6 **SEC. 2. SENSE OF CONGRESS.**

7       It is the sense of Congress that—

1           (1) the United States should not approve a ci-  
2 vilian nuclear cooperation agreement with Saudi  
3 Arabia until the Government of Saudi Arabia—

4                   (A) has been truthful and transparent with  
5 regard to the death of Jamal Khashoggi;

6                   (B) has renounced uranium enrichment  
7 and reprocessing on its territory, as well as  
8 agreed to an Additional Protocol with the Inter-  
9 national Atomic Energy Agency; and

10                  (C) has made significant progress on the  
11 protection of human rights, including through  
12 the release of political prisoners;

13           (2) the United States and Saudi Arabia have  
14 traditionally shared an important strategic partner-  
15 ship, which includes joint efforts—

16                   (A) to combat terrorism;

17                   (B) to ensure regional stability; and

18                   (C) to address other common challenges;

19           (3) the strategic partnership between the  
20 United States and Saudi Arabia should be based  
21 on—

22                   (A) the pursuit of shared national security  
23 interests; and

24                   (B) respect for human rights and the rule  
25 of law; and

1           (4) any decision by the Government of Saudi  
2           Arabia to pursue civilian nuclear cooperation with  
3           the Russian Federation or the People's Republic of  
4           China, or without signing a civilian nuclear coopera-  
5           tion agreement with the United States, would—

6                   (A) harm efforts to promote nuclear non-  
7                   proliferation; and

8                   (B) seriously undermine the strategic part-  
9                   nership between the United States and Saudi  
10                  Arabia.

11 **SEC. 3. STATEMENT OF POLICY.**

12           It shall be the policy of the United States—

13                   (1) to require the Government of Saudi Arabia  
14                   to renounce uranium enrichment and spent fuel re-  
15                   processing on its territory for the duration of a civil-  
16                   ian nuclear cooperation agreement with the United  
17                   States;

18                   (2) to require the Government of Saudi Arabia  
19                   to sign and implement the Additional Protocol with  
20                   the International Atomic Energy Agency as part of  
21                   a civilian nuclear cooperation agreement with the  
22                   United States;

23                   (3) to oppose, through the Nuclear Suppliers  
24                   Group, the sale of nuclear technology to Saudi Ara-  
25                   bia until the Government of Saudi Arabia has re-

1 nounced uranium enrichment and reprocessing on its  
2 territory as part of a civilian nuclear cooperation  
3 agreement with the United States; and

4 (4) to seek modification of the guidelines of the  
5 Nuclear Suppliers Group relating to the transfer of  
6 nuclear technology, as applied with respect to Saudi  
7 Arabia, until Saudi Arabia has renounced enrich-  
8 ment and reprocessing on its territory.

9 **SEC. 4. CONGRESSIONAL APPROVAL REQUIRED FOR CIVIL-**  
10 **IAN NUCLEAR COOPERATION AGREEMENT.**

11 Notwithstanding any other requirements under sec-  
12 tion 123 of the Atomic Energy Act of 1954 (42 U.S.C.  
13 2153), a civilian nuclear cooperation agreement with  
14 Saudi Arabia may only enter into effect on or after the  
15 date on which each of the following has occurred:

16 (1) The President has submitted a proposed  
17 agreement with Saudi Arabia in accordance with the  
18 requirements of such section 123.

19 (2) In conjunction with the submission referred  
20 to in paragraph (1), the President has submitted to  
21 Congress an unclassified report (which may include  
22 a classified annex) that describes each of the fol-  
23 lowing:

24 (A) The extent to which the Government of  
25 Saudi Arabia has been truthful and transparent

1 in its investigation into the death of Jamal  
2 Khashoggi.

3 (B) Whether those responsible for his  
4 death have been prosecuted or otherwise held  
5 accountable for such act.

6 (C) The extent to which Saudi Arabia has  
7 renounced uranium enrichment and reprocess-  
8 ing on its territory or will commit to renouncing  
9 such enrichment and reprocessing as part of the  
10 proposed agreement with the United States.

11 (D) Whether Saudi Arabia has agreed to  
12 sign and implement an Additional Protocol with  
13 the International Atomic Energy Agency.

14 (E) The extent to which Saudi Arabia has  
15 cooperated, or is pursuing cooperation, with the  
16 People's Republic of China or with any other  
17 foreign governments on advancing its missile  
18 programs and acquiring missile and other asso-  
19 ciated technologies that would be restricted  
20 under the Missile Technology Control Regime.

21 (F) The extent to which Saudi Arabia has  
22 made substantial progress on improving the  
23 protection of human rights, including through  
24 the release of political prisoners.

1           (3) On or after the date of the submission of  
2           the proposed agreement and report required under  
3           paragraphs (1) and (2), a joint resolution stating  
4           that Congress approves such agreement has been en-  
5           acted.