

116TH CONGRESS
1ST SESSION

S. 612

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.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 28, 2019

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

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) the United States should not approve a civilian nuclear cooperation agreement with Saudi Arabia until the Government of Saudi Arabia—

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

(B) has renounced uranium enrichment and reprocessing on its territory, as well as agreed to an Additional Protocol with the International Atomic Energy Agency; and

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

(2) the United States and Saudi Arabia have traditionally shared an important strategic partnership, which includes joint efforts—

(A) to combat terrorism;

(B) to ensure regional stability; and

(C) to address other common challenges;

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

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

(B) respect for human rights and the rule 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.

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