

EDWARD J. MARKEY
MASSACHUSETTS

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United States Senate

SUITE SD-255
DIRKSEN BUILDING
WASHINGTON, DC 20510-2107
202-224-2742

975 JFK FEDERAL BUILDING
15 NEW SUDBURY STREET
BOSTON, MA 02203
617-565-8519

222 MILLIKEN BOULEVARD, SUITE 312
FALL RIVER, MA 02721
508-677-0523

1550 MAIN STREET, 4TH FLOOR
SPRINGFIELD, MA 01103
413-785-4610

October 31, 2018

The President
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear Mr. President,

I write to request that your administration suspend immediately any ongoing, bilateral discussions with Saudi Arabia related to concluding a civil nuclear cooperation — or 123 agreement. The Saudi Arabian government’s shocking role in the murder of Jamal Khashoggi, a prominent Saudi journalist and legal U.S. resident, is only the most recent evidence of Saudi Arabia’s disturbing turn toward overt authoritarianism, which must disqualify it from access to sensitive U.S. nuclear technologies.

I also request that you direct your administration to revoke any authorizations for the transfer of nuclear services, technology, or assistance issued to any U.S. persons or entities conducting work with the government of Saudi Arabia and to suspend any further consideration of applications for these authorizations with regard to Saudi Arabia indefinitely. Federal regulations — so-called “Part 810” authorizations — both authorize this work and provide that the Secretary of Energy may “revoke, suspend, or modify a general or specific authorization” for a number of reasons, including a determination by the Energy Secretary that the authorization is “inimical to the interest of the United States.”¹

Given the recent behavior and actions of senior leaders within the government of Saudi Arabia, it is clear that any nuclear cooperation with the Kingdom is inimical to U.S. interests and values at present. Although the full extent of the Saudi government’s involvement in Mr. Khashoggi’s death remains unclear, it undoubtedly played a role. According to reports, the Saudi government has fired several top officials involved and arrested others.² Many also believe that the recent consolidation of power within the Saudi Arabian government makes it improbable that the Kingdom’s senior-most leaders, including Crown Prince Mohammed bin Salman, were unaware of actions taken in connection with Mr. Khashoggi’s murder.

¹ 10 C.F.R. § 810.10.

² Kevin Sullivan, Loveday Morris & Tamer El-Ghobashy, *Saudi Arabia fires 5 top officials, arrests 18 Saudis, saying Khashoggi was killed in fight at consulate*, Wash. Post (Oct. 19, 2018), https://www.washingtonpost.com/news/world/wp/2018/10/19/saudi-government-acknowledges-journalist-jamal-khashaoggi-died-while-in-that-countrys-consulate-in-istanbul/?utm_term=.f5f92f2f97c7.

Unfortunately, this is just one of the most recent and egregious examples of Saudi Arabia's disturbing trend toward authoritarianism and aggression and away from behaving as a responsible actor in the international community. In recent years the government of Saudi Arabia has cracked down harshly on dissent within the Kingdom, began prosecuting a military campaign that has created one of the worst humanitarian disasters in the world in Yemen, and openly declared its right to pursue nuclear weapons.

In March 2018 Saudi Crown Prince Mohammed Bin Salman stated in an interview with CBS that his country would develop nuclear weapons "without a doubt if Iran developed a nuclear bomb."³ Just a few months later, Saudi Arabia's Foreign Minister Adel Al-Jubeir echoed these disturbing comments, saying that, "we will do whatever it takes to protect our people. We have made it very clear that if Iran acquires a nuclear capability we will do everything we can to do the same."⁴

These statements are alarming and raise serious questions about the intentions and judgment of Saudi Arabia's current rulers. For this reason, it is imperative that the United States halt any activities that could contribute to Saudi Arabia's ability to engage in authoritarian behavior or increase tensions in an already volatile region. This must include suspending any civil nuclear cooperation, including discussions toward concluding a bilateral 123 agreement, as well as permitting more limited forms of nuclear cooperation through Part 810 authorizations.

While the United States can and must continually look for opportunities to partner with other nations around the world, bilateral cooperation — especially in fields as sensitive as nuclear energy — must be based on trust, shared values, and without question be in the mutual interest of all parties. Unfortunately, Saudi Arabia's recent actions have made it clear that any nuclear cooperation with its government does not currently meet that bar.

Sincerely,



Edward J. Markey

³ Reuters, *Saudi crown prince says will develop nuclear bomb if Iran does: CBS TV* (Mar. 15, 2018), <https://www.reuters.com/article/us-saudi-iran-nuclear/saudi-crown-prince-says-will-develop-nuclear-bomb-if-iran-does-cbs-tv-idUSKCN1GR1MN>.

⁴ [Nicole Gaouette](#), *Saudi Arabia set to pursue nuclear weapons if Iran restarts program*, CNN (May 9, 2018), <https://www.cnn.com/2018/05/09/politics/saudi-arabia-nuclear-weapons/index.html>.