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Saudi Arabia's Nuclear Energy Program and Proposed U.S.-Saudi Nuclear Cooperation

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The United States and the Kingdom of Saudi Arabia signed agreements in July 2026 to advance their cooperation in nuclear energy and to establish enhanced international inspections and monitoring of Saudi nuclear material to prevent diversion from peaceful uses. As of November 2026, Congress is reviewing these agreements; U.S. law requires the President to submit to Congress agreements for significant international nuclear commerce that include nonproliferation obligations intended to ensure nuclear transfers will not be used to produce nuclear weapons. The Trump Administration has called for the pursuit of at least 20 such agreements with new countries to support U.S. nuclear exports under Executive Order 14299.

SUMMARY

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As part of broader efforts to diversify its economy and sources of energy, the Kingdom of Saudi Arabia is implementing a national program to build civilian nuclear power reactors and potentially develop the capacity for producing nuclear fuel using domestic uranium supplies. The kingdom is a party to the Nuclear Nonproliferation Treaty (NPT), which prohibits Saudi Arabia from having nuclear weapons and guarantees access to peaceful nuclear technology. The United States, the International Atomic Energy Agency (IAEA), and other countries have provided technical and advisory assistance concerning the Saudi nuclear program.

On August 24, 2026, President Donald Trump submitted to Congress a U.S.-Saudi agreement for cooperation on peaceful uses of nuclear energy (hereinafter "123 agreement"), pursuant to Section 123 of the Atomic Energy Act (AEA) of 1954, as amended, together with a Bilateral Safeguards Agreement (BSA). The Administration also submitted two side letters to the agreement to Congress; the letters have not been publicly released. The BSA, which is a feature unique to the U.S.-Saudi Arabia 123 agreement, would involve IAEA monitoring and would need to be approved by the IAEA Board of Governors before the 123 agreement is implemented. The BSA has provisions similar to, but less extensive than, what would be included in an Additional Protocol to a comprehensive safeguards agreement with the IAEA. In the 123 agreement, Saudi Arabia commits to using "qualified suppliers" for its nuclear energy program, which are companies licensed or approved by the United States.

Under the AEA, Congress reviews Section 123 agreements for two periods totaling 90 days of continuous session. At the beginning of the second of these review periods, which lasts for 60 days of continuous session, joint resolutions of disapproval are to be automatically introduced in each house. After the second review period, the President can take the steps necessary for the agreement's entry into force unless Congress adopts a joint resolution of disapproval that becomes law. Under the AEA, the review periods commence from the date of the agreement's transmittal to Congress. Based on the U.S.-Saudi agreement's receipt in Congress, the review periods for the U.S.-Saudi 123 nuclear agreement may conclude in December 2026.

Congress closely considers instances of nuclear cooperation that may enable uranium enrichment for fuel production, which is allowed under the NPT but can pose nuclear weapons proliferation risks. The proposed 123 agreement says the United States and Saudi Arabia "may explore options to support the long-term commercial feasibility of civil uranium enrichment capacity" in their respective countries and will initiate a two-year Joint Enrichment and Conversion Study. The agreement does not authorize transfer of enrichment technology. The agreement requires that the BSA must enter into force prior to the United States' "providing consent for enrichment or support for any enrichment facility" in Saudi Arabia. President Trump stated in a July 2026 social media post that, "There will be no enrichment of material."

Through 2024, successive U.S. Administrations, including the first Trump Administration, had linked a potential 123 agreement with Saudi Arabia to the kingdom's acceptance of enhanced international safeguards on its nuclear program and its forgoing acquisition of the most proliferation-sensitive nuclear facilities—those for enriching uranium or reprocessing spent nuclear fuel to obtain plutonium. These terms—which U.S. officials and international observers at times have referred to as "the gold standard"—were incorporated into the 2009 U.S. 123 agreement with Saudi Arabia's neighbor, the United Arab Emirates (UAE). An Agreed Minute (2009) to the U.S.-UAE 123 agreement states that its terms "shall be no less favorable in scope and effect" than U.S. agreements with other countries in the Middle East and that the United States will, at the UAE's request, consult "regarding the possibility of amending" the agreement with equally favorable terms. The U.S.-UAE agreement does not include qualified supplier provisions or a bilateral safeguards agreement.

Members of Congress have adopted varying positions on U.S.-Saudi nuclear cooperation. Some Members have argued that no agreement should go into effect until Saudi Arabia commits to forgo uranium enrichment and spent nuclear fuel reprocessing and to conclude an Additional Protocol to its comprehensive safeguards agreement with the IAEA. In 2025, the Trump Administration waived a provision of law that limited consideration of a 123 agreement because Saudi Arabia has not concluded an Additional Protocol. Other Members have welcomed the 123 agreement as a commercial opportunity for U.S. firms and as a means of displacing potential Chinese or Russian vendors from participation in Saudi Arabia's nuclear energy program. In the 119th Congress, some Members have introduced joint resolutions of disapproval for the proposed U.S.-Saudi 123 agreement (H.J.Res. 217 and S.J.Res. 221).

If the 123 agreement is not disapproved during the congressional review period, it may enter into force through an exchange of diplomatic notes between the two countries. President Trump stated on July 21, 2026, that implementation of the agreement would be contingent on Saudi Arabia signing the Abraham Accords, which involve the recognition of Israel. Saudi Arabia's Crown Prince said in 2025 that the kingdom wants to be a part of the Accords, but official Saudi statements condition recognition of Israel on the establishment of an independent Palestinian state with East Jerusalem as its capital. The government of Israeli Prime Minister Benjamin Netanyahu has opposed the establishment of a Palestinian state, and leading Israeli opposition figure Gadi Eisenkot has pledged that no Palestinian state will arise under a government he forms. The U.S.-Saudi 123 agreement does not mention Israel or the Abraham Accords, and in a Senate Foreign Relations Committee hearing in November 2026, the U.S. Ambassador-designate for Saudi Arabia said the matter is subject to continuing negotiations.

For more information see CRS Report RS22937, *Nuclear Cooperation with Other Countries: A Primer*, and archived CRS Report R40344, *The United Arab Emirates Nuclear Program and Proposed U.S. Nuclear Cooperation*.

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Saudi Arabia: Background and U.S. Relations

Saudi Arabia is a monarchy governed by the Al Saud family. King Salman bin Abd al Aziz Al Saud (born 1935) has ruled since 2015. His son, Crown Prince Mohammed bin Salman (born 1985, aka MBS), serves as Prime Minister and acts as the kingdom's principal decisionmaker. The king's age and health challenges suggest that a leadership transition could occur at any time. Since the 1940s, the United States and Saudi Arabia have maintained close relations anchored in security and energy partnerships and tested at times by disagreements over oil production, the Israeli-Palestinian conflict, terrorism, human rights, and regional security. U.S. forces are deployed in Saudi Arabia to aid in Saudi missile and air defenses and to provide training to Saudi security forces under long running cooperative programs.

Under the Crown Prince's leadership since 2017, Saudi Arabia has pursued an economic and social transformation agenda at home and a multifaceted foreign policy abroad involving complex relationships with the United States, U.S. rivals, other G-20 economies, and the developing world. The kingdom's *Vision 2030* initiatives outline ambitious goals for reducing the kingdom's fiscal dependence on oil revenue, developing a diverse and globally connected domestic economy, and creating opportunity for Saudi citizens and foreign investors in sectors such as tourism, global logistics, mining, manufacturing, and artificial intelligence.

In 2025, President Trump and Crown Prince Mohammed bin Salman exchanged visits, and announced progress on bilateral agreements on mining, defense, artificial intelligence, and civil nuclear energy cooperation. The leaders also discussed plans for what the White House has estimated may be "nearly $1 trillion"[1] in trade and mutual investment, including purchases of U.S. goods and services. President Trump designated Saudi Arabia as a Major Non-NATO Ally in January 2026 and has notified Congress of more than $35 billion in proposed foreign military sales to the kingdom since December 2025, including the proposed sale of F-35 fighter aircraft.

As of 2026, the kingdom has made measurable progress on several of its *Vision 2030* objectives, but conflict in the Persian Gulf and Red Sea regions is challenging Saudi plans and preferences. The U.S. and Israeli conflict with Iran since February 2026 and the subsequent resurgence of war between Saudi Arabia and the Yemen-based Ansarallah/Houthi movement have disrupted Saudi oil exports and economic activity and threaten Saudi infrastructure. Attacks attributed to Iran and Iran-backed groups in Iraq and Yemen have damaged energy sites and other government and civilian targets in Saudi Arabia and other Arab Gulf states.

Iranian attacks resulted in the death and injury of U.S. military forces deployed in Saudi Arabia and damaged U.S. military aircraft there. U.S. and Saudi forces have jointly struck targets associated with Iran-backed groups in Iraq. In September 2026, Secretary of State Marco Rubio said that "we have a very strong defense agreement with Saudi Arabia and we will live up to our commitments in that agreement."[2]

[1] The White House, "Fact Sheet: President Donald J. Trump Solidifies Economic and Defense Partnership with the Kingdom of Saudi Arabia," November 18, 2025.

[2] Secretary of State Marco Rubio, Remarks to Press, New York City, New York, September 23, 2026.

The possible entry into force of the 123 agreement and bilateral safeguards agreement and any future reactor sales or uranium enrichment cooperation would constitute a tangible deepening of bilateral relations. The underlying agreement may reflect both sides' mutual confidence and current leaders' intention that the governments should maintain close ties over the agreement's 30-year duration.

Saudi Arabia's Nuclear Energy Program

Rationale

Saudi Arabia holds nearly 17% of the world's proven reserves of crude oil, has the world's fourth-largest reserves of natural gas, and is the second-largest consumer of energy on a per capita basis in the Middle East.[3] In 2025, oil and natural gas generated about 32% and 64% of the kingdom's electricity, respectively.[4]

In 2010, a Saudi royal decree called for the development of nuclear and renewable energy for use in electricity production and water desalination, as well as a means to diversify the country's energy supply. As part of this effort, the 2017 Saudi National Project for Atomic Energy (NPAE) includes plans to build large and small nuclear reactors. The NPAE is part of the Saudi government's broader *Vision 2030* initiative to diversify the kingdom's economy, which includes efforts to expand the use of non-fossil-fuel-based energy to preserve oil and natural gas resources for revenue-generating exports. *Vision 2030* includes a National Renewable Energy Program (NREP) to expand the generation of electricity from renewable sources such as wind and solar to supply 50% of the kingdom's electricity by 2030.[5] In addition to the development of large and small reactors, Saudi Arabia is building a low power research reactor facility, and Saudi officials have stated their intent to mine domestic uranium resources and develop a capacity to enrich uranium and fabricate fuel for nuclear power plants.

Saudi Arabia's 2022 National Policy for the Atomic Energy Program states that the program is intended to help the country "move from an oil-dependent economy towards a more diversified and productive economy," meet "water desalination and other needs," and contribute to an alternative to the kingdom's "steady increase in the consumption of fossil fuel based energy."[6] An additional priority of the nuclear power program, according to the Saudi energy minister, is

[3] CRS calculation using Organization of the Petroleum Exporting Countries (OPEC) data, "World Proven Crude Oil Reserves" and "OPEC Members' Proven Crude Oil Reserves" in OPEC, *Annual Statistical Bulletin*, 2026.

[4] CRS calculation using Energy Institute data, "Electricity, Generation by Fuel," in *Statistical Review of World Energy*, 2026. The kingdom is expanding its capacity to produce natural gas for domestic use and export sales. Saudi Press Agency (SPA), "Aramco's Gas Strategy Builds Momentum with Major Progress Towards Growth Target," February 26, 2026.

[5] SPA, "SPPC Releases RFQ for Round 6 Solar and Wind Projects with Total Capacity of 4500 MW," August 2, 2026. The kingdom increased its total renewable energy capacity more than 500% from 2016 to 2025, with capacity through 2025 at or above 12.3 gigawatts of electricity (GWe). CRS calculation based on data in International Renewable Energy Agency, *Renewable Capacity Statistics 2026*, "Total Renewable Capacity," 2026. Energy Institute data estimates Saudi electricity generation from renewables at 19.8 terawatt-hours in 2025, equivalent to about 4% of overall output. See Energy Institute, "Electricity, Generation by Fuel," in *Statistical Review of World Energy*, 2026.

[6] Kingdom of Saudi Arabia, Nuclear and Radiological Regulatory Commission, *National Policy for the Atomic Energy Program of the Kingdom of Saudi Arabia*, 2022. U.S. Energy Information Administration data shows that Saudi generation of electricity using oil and natural gas increased from 2020 to 2024, with oil-based generation slightly declining on an annual basis from 2023 to 2024. U.S. Energy Information Administration (EIA) using Saudi Ministry of Energy data, *Monthly Energy Review*, International Energy Statistics, Electricity. Accessed August 3, 2026.

"knowledge and technology transfer" such that the program "supports the development of national human and technical capabilities" in Saudi Arabia.[7]

Detailed information about Saudi authorities' projections for electricity demand growth, nuclear capital construction cost assumptions, and their evolving cost analyses for nuclear and other generation sources is not publicly available. As of 2026, Saudi economic transformation plans seek to position the kingdom as a hub for regional and international data centers and artificial intelligence technology, which may contribute to higher domestic electricity generation needs than previously assumed when nuclear power was first contemplated.

Program Plans and Progress

Power plants, research, and uranium exploration and extraction constitute the three components of the planned Saudi national nuclear program. The kingdom has worked to advance each component since 2017.

Power Generation

Saudi Arabia plans to develop and operate both large and small nuclear power plants to generate electricity. The government's longer term nuclear power capacity targets have evolved over time. In 2011, the King Abdullah City for Atomic and Renewable Energy (KA CARE) set a goal of developing more than 17 gigawatt electric (GWe) of nuclear power capacity by 2032, to include a proposal for 16 eventual power plants.[8] However, the kingdom's nuclear and overall renewable energy targets were later amended formally through the development of *Vision 2030*, the NREP, and the approval of the 2017 National Project for Atomic Energy.

Preparations since 2017 have focused on plans to construct two 1-to-1.6 GWe nuclear reactors at Khor Duwayhin (alt. Duweihin, see **Figure 1**), a coastal area on the Persian Gulf between the kingdom's borders with Qatar and the United Arab Emirates (UAE).[9] The kingdom initiated a bidding tender process for the construction of the two planned reactors, with Russia's Rosatom, France's Électricité de France (EDF), China National Nuclear Corporation (CNNC), South Korea's Korea Electric Power Corporation (KEPCO), and Westinghouse having all provided information for consideration. The Trump Administration states that the Saudi Government has repeatedly extended the timeline for completing the tender process to allow for the United States and Saudi Arabia to enter into a nuclear cooperation agreement and "has encouraged Westinghouse participation, while remaining committed to its completion and to selecting a vendor to build the Kingdom's first nuclear power plant."[10]

Separately, through a partnership with South Korea, the kingdom seeks to develop lower power, site-specific nuclear power plants using small modular advanced reactor technology (SMART)

[7] Saudi Energy Minister Prince Abd al Aziz bin Salman Al Saud, Statement at the 69th session of the International Atomic Energy Agency (IAEA) General Conference as reported in Saudi Press Agency (SPA), "Saudi Arabia Reaffirms Importance of Strengthening Nuclear and Radiological Emergency Preparedness at IAEA General Conference in Vienna," September 15, 2025.

[8] Reuters, "Saudi Plans to Build 16 Nuclear Reactors by 2030," June 1, 2011.

[9] Nuclear and Radiological Regulatory Commission of the Kingdom of Saudi Arabia (NRRC-KSA), National Report for the 10th Review Meeting of the Convention on Nuclear Safety (CNS), 2025.

[10] Nuclear Proliferation Assessment Statement (hereinafter NPAS), Submitted Pursuant to Subsection 123(a) of the Atomic Energy Act of 1954, as Amended, with Respect to the Proposed Agreement for Cooperation Between the Government of the United States of America and the Government of the Kingdom of Saudi Arabia Concerning Peaceful Uses of Nuclear Energy, August 2026.

systems. Additionally, according to the unclassified Nuclear Proliferation Assessment Statement (NPAS) submitted by the Administration to Congress as required by the Atomic Energy Act,[11]

> The Department of State's Foundational Infrastructure for Responsible Use of Small Modular Reactor Technology (FIRST) program works with Saudi Arabia through the GCC [Gulf Cooperation Council] Secretariat on a cost-shared basis to support the country's readiness to deploy U.S. vendors' SMR [small modular reactor] and other advanced nuclear technology under the highest, U.S.-aligned nuclear safety, security, and nonproliferation standards.

Research

Saudi Arabia has completed construction of a low power research reactor at the King Abd al Aziz City for Science and Technology (KACST) in Riyadh.[12] The reactor is being built in partnership with Argentina's Investigacion Applicada (INVAP), and "will be used for nuclear science-related research and training."[13] Additionally, KACST hosts an Atomic Energy Research Institute (AERI) that conducts research on "industrial applications of radiation and radioactive isotopes, nuclear power and reactors, nuclear materials, and radiation protection."[14] KACST also oversees the kingdom's Nuclear Research Institute, which consists of a Nuclear Regulatory Unit and "national centers for accelerators, applied-radiation, irradiation, and nuclear technologies."[15] The Saudi government has identified the development of indigenous research and applications expertise as a priority.[16]

Uranium Resources and Nuclear Fuel Development[17]

Mining is one of the main strategic pillars of the *Vision 2030* project, and Saudi leaders are working to establish the kingdom as a hub for mineral extraction, processing, and supply chain integration. Saudi Arabia has engaged in extensive mineral exploration since about 2017, including with assistance from the government of the People's Republic of China. Over the medium term, Saudi Arabia seeks to develop its domestic uranium resources for use as nuclear reactor fuel. According to the NPAS, the kingdom "will depend on the international market for nuclear fuel services for the near-term."[18]

The Saudi Uranium Exploration Project has included joint uranium resource mapping efforts between the Saudi Geological Survey and China's CNNC, as well as a separate initiative with Jordan. To date, three main uranium deposit sites have been identified in northern and western Saudi Arabia—Qurriyah/Ghurayyah, Jabal Sayid, and the Al Jalamid phosphates zone in the Thaniyat Turayf basin adjacent to Jordan and Iraq.

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[11] See CRS Report RS22937, *Nuclear Cooperation with Other Countries: A Primer*, by Paul K. Kerr et al.; and NPAS, August 2026.

[12] NRRC-KSA, National Report for the 10th Review Meeting of the Convention on Nuclear Safety (CNS), 2025.

[13] NPAS, August 2026.

[14] NPAS, August 2026.

[15] NPAS, August 2026.

[16] Saudi Energy Minister Prince Abd al Aziz bin Salman Al Saud, Statement at the 69th session of the International Atomic Energy Agency (IAEA) General Conference as reported in Saudi Press Agency (SPA), "Saudi Arabia Reaffirms Importance of Strengthening Nuclear and Radiological Emergency Preparedness at IAEA General Conference in Vienna," September 15, 2025.

[17] Prepared with contributions by CRS Analyst in Natural Resources and Earth Sciences Linda R. Rowan.

[18] NPAS, August 2026.

According to a Nuclear Energy Agency and IAEA worldwide assessment of uranium resources, Saudi Arabia had about 64,100 tonnes of *identified recoverable uranium resources* (tU)[19] in the polymetallic Th-U-Nb-Ta and rare earth element (REE)-bearing Qurriyah/Ghurayyah deposit and the Jabal Sayid U-Th prospect[20] as of January 1, 2025.[21] As of January 1, 2025, Saudi Arabia's total identified unconventional resources were 99,984 tU, including other deposits, such as the Thaniyat Turayf phosphorite prospect.[22] Saudi Arabia plans to continue mineral exploration.

To date, the identified recoverable uranium resources are of low to very low grade,[23] and may be included within deposits that also are enriched in other critical minerals.[24] Saudi Arabia's identified recoverable uranium resources are only recoverable as a by-product or co-product (i.e., derived from a mine that produces other mineral commodities and may produce uranium as an additional product).[25] The recoverable uranium resources identified in Saudi Arabia are considered among the more difficult and more expensive to extract with current methods and technologies compared with other types of deposits, based on what is known about their geologic characteristics.[26]

In May 2025, U.S.-based entities entered into a bilateral agreement with Saudi Arabia-based entities to support exploration and processing of potential REE deposits in the country, including the Jabal Sayid U-Th prospect.[27] Such work may also advance uranium resource exploration and lead to more information about uranium resources in Saudi Arabia.

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[19] One tonne (t) equals one metric ton (1,000 kilograms or about 2,204.6 pounds) and the resource amounts are expressed in tonnes of uranium (tU) rather than of uranium oxide.

[20] Th—thorium, U—uranium, Nb—niobium, Ta—tantalum, REE—rare earth element. These minerals, except for thorium and promethium (one of the rare earth elements), are considered critical minerals in the United States for the U.S. economy and national security. For more about critical minerals, see CRS Report R47982, *Critical Mineral Resources: National Policy and Critical Minerals List*, by Linda R. Rowan. For more about rare earth elements, see CRS In Focus IF13171, *Rare Earth Elements and U.S. Supply Chains*, by Linda R. Rowan.

[21] Nuclear Energy Agency and International Atomic Energy Agency, *Uranium 2026: Resources, Production and Demand*, ed. Organisation for Economic Co-Operation and Development, vol. 7770 (2026) (hereinafter *Uranium 2026*; also known as the Red Book). *Identified recoverable uranium resources* as defined in *Uranium 2026* include uranium deposits that are reasonably assured or inferred resources and the amounts in tU are expressed as uranium recoverable from mineable ore. See Table 1.2a of *Uranium 2026.*

[22] *Uranium 2026*, pp. 419-425. Saudi Arabia's amount of uranium resources and the confidence in the potential to produce uranium from some deposits have increased since January 1, 2023, primarily because of additional exploration and analysis. Some phosphorite deposits in Saudi Arabia are mined for phosphorus for use in fertilizers and phosphorus is a critical mineral on the USGS 2025 Critical Mineral List. See Maaden, "Phosphates," https://www.maaden.com/discover-us/core-business-units/phosphate.

[23] Uranium ore grade ranges from high grade (20% uranium concentration in ore bodies), medium grade (2% uranium), low grade (0.1% uranium), and very low grade (0.01% uranium). See World Nuclear Association, "Supply of Uranium," https://world-nuclear.org/information-library/nuclear-fuel-cycle/uranium-resources/supply-of-uranium. Natural uranium has the same isotopic composition no matter what the ore grade—99% non-fissile uranium-238 (U-238) and less than 1% fissile uranium-235 (U-235). Natural uranium must be enriched in U-235 for use as fuel in most nuclear reactors and nuclear weapons.

[24] *Uranium 2026*. Gracelin Baskaran, "What's in the New U.S.-Saudi Minerals Agreement?" Center for Strategic and International Studies (CSIS), November 19, 2025, at https://www.csis.org/analysis/new-era-us-saudi-minerals-cooperation (hereinafter, Baskaran, U.S.-Saudi Minerals Agreement). Uranium is a critical mineral as of 2025 and included on the U.S. Geological Survey's 2025 Critical Minerals List. See CRS In Focus IF13145, *U.S. Geological Survey's Critical Minerals List*, by Linda R. Rowan for more details about uranium's inclusion on the 2025 list.

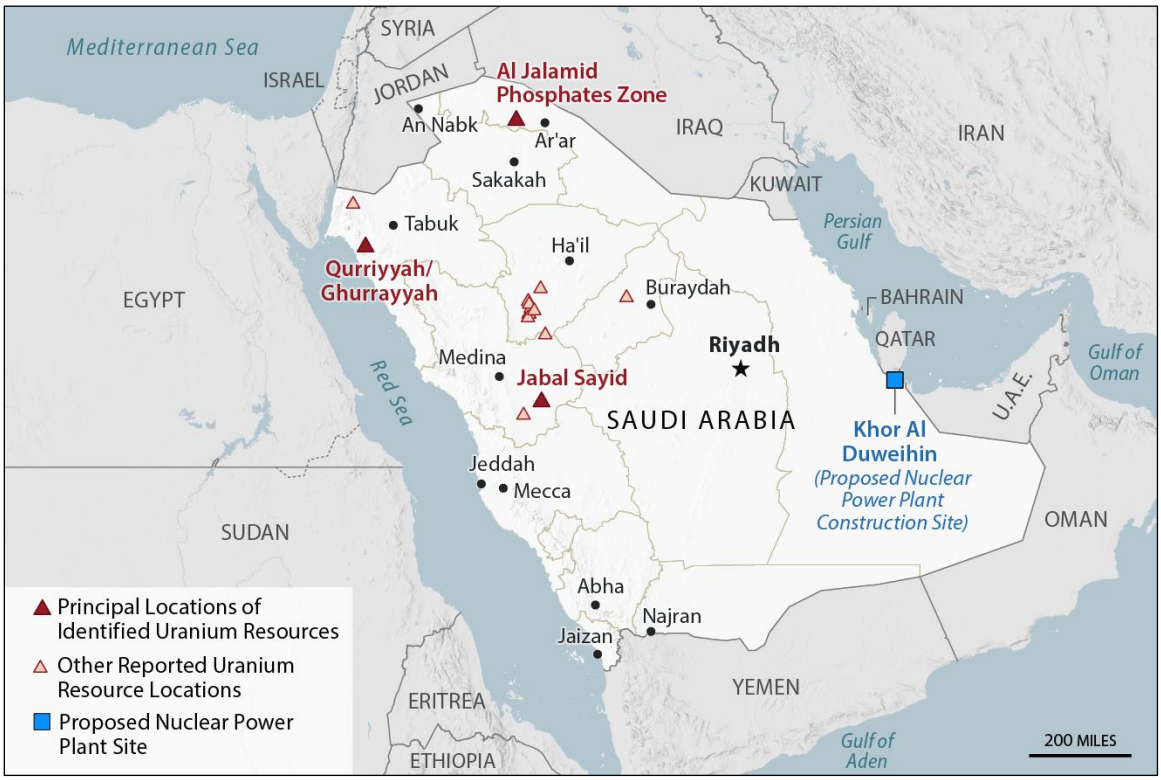
[25] *Uranium 2026*.

[26] *Uranium 2026*. For an overview of the geology of uranium deposits, see World Nuclear Association, "Geology of Uranium Deposits," https://world-nuclear.org/information-library/nuclear-fuel-cycle/uranium-resources/geology-of-uranium-deposits.

[27] MP Materials, "Maaden and MP Materials Collaborate to Establish Full Value Chain for Rare Earth Magnetics," (continued...)

Figure 1. Saudi Arabia: Selected Uranium Resources and Planned Power Plant Site

Principal Resource Sites and Proposed Construction Site



Source: Google Earth and Saudi government data, reported in Saudi Geological Survey, "Mineral Occurrences Database," https://ngd.sgs.gov.sa/en/mineral-occurrence/.

Notes: "Other Reported Uranium Resource Locations" denote sites labelled as Medium in the Occurrence field for a keyword search for uranium in the Saudi Geological Survey Mineral Occurrences Database.

Regulatory Regime and Key Entities, Officials, and Partners

Saudi authorities have worked to develop nuclear energy laws and regulations with the support of the IAEA and the involvement of international consultants. IAEA officials completed a nuclear infrastructure review in Saudi Arabia in 2018 and issued a final report in January 2019.[28] IAEA officials completed an Integrated Regulatory Review Service (IRRS) mission in October 2023.[29]

The Saudi cabinet approved a National Policy for the Atomic Energy Program in 2018 and supporting programs for occupational health and safety in 2020 and radioactive waste management, in 2021, respectively. The Saudi cabinet also has approved supporting laws

May 15, 2025, https://investors.mpmaterials.com/investor-news/news-details/2025/Maaden-and-MP-Materials-Collaborate-to-Establish-Full-Value-Chain-for-Rare-Earth-Magnetics/default.aspx.

[28] Elisabeth Dyck, "IAEA Delivers Report on Nuclear Power Infrastructure Development to Saudi Arabia," January 25, 2019, at https://www.iaea.org/newscenter/news/iaea-delivers-report-on-nuclear-power-infrastructure-development-to-saudi-arabia.

[29] The IAEA IRRS is intended to help countries "strengthen and enhance the effectiveness of their regulatory infrastructure for nuclear, radiation, radioactive waste and transport safety." See IAEA, "Integrated Regulatory Review Service (IRRS)" at https://www.iaea.org/services/review-missions/integrated-regulatory-review-service-irrs; and IAEA Document 111/2023, "IAEA Mission Recognizes Saudi Arabia's Commitment to Radiation Safety, Identifies Areas for Further Improvement," October 10, 2023.

governing nuclear and radiological controls, related civil liability, and providing for the establishment of the national Nuclear and Radiological Regulatory Commission (NRRC). Prince Abdulaziz bin Salman bin Abdulaziz, the king's son and half-brother to Crown Prince Mohammed bin Salman, serves as NRRC chairman and also as Minister of Energy and Chairman of the Board of King Abdullah City for Atomic and Renewable Energy (KA CARE).

The government established the Saudi Nuclear Energy Holding Company (SNEHC) in 2020 to develop and operate planned nuclear facilities, and, in 2022, established the subsidiary Duwayhin Nuclear Energy Company (DNEC) to own and operate the planned nuclear power plants at Khor Duwayhin. The kingdom also has engaged international firms in site selection, project management, legal, financial, and technical consultancy contracts related to the nuclear energy program.

Saudi Arabia and IAEA Safeguards

In 1988, Saudi Arabia acceded to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), Article II of which prohibits nonnuclear-weapon states-parties (NNWS) from acquiring nuclear weapons.[30] Article III of the treaty requires NNWS to conclude Comprehensive Safeguards Agreements (CSAs) with the International Atomic Energy Agency (IAEA). (See **Appendix B** for more information.) Such agreements require governments to declare their entire inventory of certain nuclear materials, as well as related facilities; the agency subsequently applies safeguards "on all nuclear material in all nuclear activities" in the state.[31] CSAs enable the IAEA to detect the diversion of nuclear material from peaceful purposes to nuclear weapons uses, as well as to detect undeclared nuclear activities and material.[32] Safeguards include agency onsite inspections and continuous monitoring of declared nuclear facilities. Although all nuclear material in an NNWS is subject to IAEA safeguards, CSAs, as a practical matter, limit the agency's monitoring and inspections authority to declared facilities.

Saudi Arabia's CSA entered into force in 2009.[33] Until 2024, the kingdom's agreement had a small quantities protocol (SQP) that held "in abeyance" most CSA procedures given the limited nuclear activities that were taking place in Saudi Arabia.[34] Effective in 2025, the kingdom rescinded that SQP and the CSA is now fully operable.[35]

U.S. negotiators have engaged Saudi Arabia about the prospect of Saudi Arabia concluding an Additional Protocol (AP) to its CSA over successive Administrations.[36] (See **Appendix B**.) To date, Saudi Arabia has not concluded such a protocol and, according to former longtime State Department official Robert Einhorn, "adamantly refused" to adopt an additional protocol arguing

[30] The treaty defines a nuclear-weapon state as "one which has manufactured and exploded a nuclear weapon or other nuclear explosive device" prior to January 1, 1967. These states are China, France, Russia, the United Kingdom, and the United States. All other states-parties are non-nuclear weapon-states.

[31] IAEA, "Comprehensive Safeguards Agreements" at https://www.iaea.org/topics/safeguards-legal-framework/more-on-safeguards-agreements.

[32] *IAEA Safeguards Glossary 2022 Edition*. Comprehensive safeguards agreements are based on a model described in INFCIRC 153.

[33] Agreement between the Kingdom of Saudi Arabia and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons, INFCIRC/746, In Force January 13, 2009.

[34] IAEA, "Small Quantities Protocols," at https://www.iaea.org/topics/safeguards-legal-framework/more-on-safeguards-agreements.

[35] Saudi Press Agency, "Saudi Arabia Reaffirms Importance of Strengthening Nuclear and Radiological Emergency Preparedness at IAEA General Conference in Vienna," September 15, 2025.

[36] CRS consultations with executive branch officials, October 2026.

that potential "inspections at culturally sensitive locations, such as holy sites and palaces, would be unnecessarily intrusive."[37] Saudi Arabia restricts access to areas near the city of Mecca and areas in the city of Medina in its role as custodian of the Islamic faith's principal holy sites.[38] Some palaces may function as sensitive national security facilities for members of the royal family and government officials.

Rather than continuing to insist on an AP to Saudi Arabia's CSA as a condition for a U.S.-Saudi 123 Agreement, the Trump Administration negotiated a Bilateral Safeguards Agreement (BSA) as a supplement to the kingdom's CSA. A senior Administration official has stated that the BSA "will provide the Agency [IAEA] with more tools in the toolbox than it currently has to enact safeguards upon the kingdom."[39] An analysis by the Arms Control Association contends that, while the BSA goes beyond AP requirements in some areas, it "does not ensure IAEA access to sites that are not part of Saudi Arabia's declared nuclear program."[40]

Proposed U.S.-Saudi Nuclear Cooperation

Since at least the early 2000s, the United States has discussed peaceful nuclear cooperation with Saudi Arabia. For example, in 2008, the two governments signed a nonbinding memorandum of understanding (MOU) that stated the governments' intent to cooperate on nuclear activities in the fields of medicine, industry, and electricity production, and noted Saudi Arabia's intent "to rely on existing international markets for nuclear fuel services as an alternative to the pursuit of enrichment and reprocessing."[41]

The United States has also negotiated with Saudi Arabia since the Obama Administration over the terms of a peaceful nuclear cooperation agreement pursuant to Section 123 of the Atomic Energy Act (AEA) of 1954, as amended (P.L. 83-703; 42 U.S.C. §§2153 et seq.). Such agreements, known as "123 agreements," generally authorize U.S. nuclear cooperation with other governments, but do not permit specific nuclear transfers. (See CRS Report RS22937, *Nuclear Cooperation with Other Countries: A Primer*, by Paul K. Kerr et al. and **Appendix A**.)

In 2012 and 2018, respectively, the Obama and first Trump Administrations engaged in discussions with Saudi counterparts on a possible U.S.-Saudi 123 agreement. From 2017 to 2019, the U.S. Department of Energy (DOE) granted seven "Part 810" authorizations (per 10 C.F.R. §810) for U.S. companies to engage in civil nuclear discussions, including marketing, with Saudi

[37] Robert Einhorn, "Approving the US-Saudi Nuclear Deal While Reducing Proliferation Risks," The Brookings Institution, October 26, 2026.

[38] See Saudi Ministry of Hajj and Umrah, "Information about the Haram Area" at https://haj.gov.sa/en/Makkah-Al-Mukarramah, and "Information about the Prophet's Mosque area" at https://haj.gov.sa/en/Al-Madinah-Al-Munawwarah.

[39] National Nuclear Security Administration (NNSA) Deputy Administrator for Defense Nuclear Nonproliferation Dr. Matthew Napoli, Remarks at the Carnegie Endowment for International Peace, "The Future of Defense Nuclear Nonproliferation: A Conversation with Dr. Matthew Napoli," October 20, 2026, https://www.youtube.com/watch?v=f4D4xTRONRw.

[40] Arms Control Association, "Nonproliferation Risks of the U.S.-Saudi Nuclear Cooperation Agreement," September 16, 2026 (updated Nov. 1), https://www.armscontrol.org/issue-briefs/2026-09/nonproliferation-risks-us-saudi-nuclear-cooperation-agreement.

[41] Memorandum of Understanding between the Government of the United States of America and the Government of the Kingdom of Saudi Arabia Concerning Cooperation in Nuclear Energy and Other Energy Fields, May 16, 2008.

Arabia in response to the kingdom's 2017 request for information.[42] Such authorizations do not require a 123 agreement.[43]

The potential acquisition by a non-nuclear weapons state of facilities for enriching uranium and reprocessing spent nuclear reactor fuel has long been a source of U.S. government concern because such facilities can produce fissile material for nuclear weapons. Obtaining such material—highly enriched uranium (HEU) and/or plutonium—is widely regarded as the most difficult task in building nuclear weapons.

- Uranium enrichment is a process that increases the concentration of the uranium-235 (U-235) isotope. Low-enriched uranium (below 20% enrichment in U-235) can be used in nuclear power reactors; HEU can be used as fuel in certain reactors but is also one of the two types of fissile material used in nuclear weapons.
- Reprocessing spent nuclear reactor fuel separates plutonium, which is the other type of fissile material used in nuclear weapons, from the spent fuel's other elements. Plutonium can also be used as fuel in certain types of nuclear reactors.

The Government Accountability Office reported in 2020 that the United States and Saudi Arabia had "not made significant progress toward a nuclear cooperation agreement because of persistent differences … over nonproliferation conditions," including restrictions on enrichment and reprocessing, as well as Saudi reluctance to adopt an Additional Protocol to its CSA (see below).[44] Those differences reportedly persisted during the Biden Administration, with U.S. and Saudi officials revisiting the prospect for civilian nuclear cooperation in the context of U.S. efforts to promote diplomatic normalization between Saudi Arabia and Israel.[45] In 2022, U.S. and Saudi officials signed an MOU on the exchange of technical information and cooperation in nuclear safety matters. According to unnamed U.S. and Israeli officials cited in a September 2023 press report, the United States was then considering a U.S.-run uranium enrichment operation in Saudi Arabia.[46]

2026 Nuclear Cooperation Agreement[47]

Section 123a, paragraphs (1) through (9) of the Atomic Energy Act (AEA) of 1954, as amended, lists nine criteria that an agreement with a non-nuclear weapon state must meet to go into effect without a presidential exemption.[48] The agreement under consideration includes these elements, which require:

[42] Section 57.b.(2) of the AEA allows for limited forms of nuclear cooperation related to the "development or production of any special nuclear material outside of the United States" if that activity has been authorized by the Secretary of Energy following a determination that it "will not be inimical to the interest of the United States." Such authorizations are known as "Part 810 authorizations" after 10 C.F.R. Part 810. See CRS In Focus IF11183, *Nuclear Cooperation: Part 810 Authorizations*, by Paul K. Kerr et al.

[43] CRS In Focus IF11183, *Nuclear Cooperation: Part 810 Authorizations*, by Paul K. Kerr et al.

[44] Government Accountability Office, "U.S.-Saudi Nuclear Cooperation—Progress Is Stalled over Nonproliferation Conditions and Agency Management of Negotiations Is Unclear," GAO-20-343, April 2020.

[45] See CRS Report R48162, *Possible U.S.-Saudi Agreements and Normalization with Israel: Considerations for Congress*, by Christopher M. Blanchard.

[46] Dion Nissenbaum and Dov Lieber, "Saudi Uranium Enrichment Floated Under Possible Israel Deal," *Wall Street Journal*, September 21, 2023.

[47] Unless otherwise noted, this section is based on the text of the nuclear cooperation agreement.

[48] The President may exempt a nuclear cooperation agreement from any of these requirements. The agreement with Saudi Arabia is not an exempt agreement.

- safeguards on transferred nuclear material and equipment continue in perpetuity;
- the IAEA applies comprehensive safeguards in NNWS;
- nothing transferred is used for any nuclear explosive device or for any other military purpose;
- the United States has the right to demand the return of transferred nuclear materials and equipment, as well as any special nuclear material produced through their use, if the cooperating state detonates a nuclear explosive device or terminates or abrogates an IAEA safeguards agreement;
- the recipient state will not retransfer material or restricted data without U.S. consent, which can be in the form of subsequent arrangements. Such arrangements are required for additional forms of nuclear cooperation pursuant to an existing 123 agreement;[49]
- the recipient state will maintain physical security on transferred nuclear material;
- the recipient state will obtain approval before enriching or reprocessing transferred nuclear material or nuclear material produced with materials or facilities transferred pursuant to the agreement;
- the recipient state will obtain U.S. advance approval for storage of transferred plutonium and HEU; and
- any material or facilities produced or constructed through use of sensitive nuclear technology transferred under the cooperation agreement will be subject to all of the above requirements.

During Saudi Crown Prince Mohammed bin Salman Al Saud's visit to the United States in November 2025, the United States and Saudi Arabia signed a "Joint Declaration on the Completion of Negotiations on Civil Nuclear Energy Cooperation."[50] According to the White House, the declaration was to develop "the legal foundation for a decades-long, multi-billion-dollar nuclear energy partnership with the Kingdom; confirms that the United States and American companies will be the Kingdom's civil nuclear cooperation partners of choice; and ensures that all cooperation will be conducted in a manner consistent with strong nonproliferation standards."[51]

Later in November 2025, the Administration issued a waiver necessary for a U.S.-Saudi 123 agreement. Specifically, the Administration waived a provision of law prohibiting the executive branch from submitting a Nuclear Proliferation Assessment Statement (NPAS) for a proposed 123 agreement with a country, such as Saudi Arabia, which has not brought into force an Additional Protocol to its IAEA safeguards agreement (see below).[52]

On July 22, 2026, U.S. Secretary of Energy Chris Wright and Saudi Minister of Energy Prince Abd al Aziz bin Salman Al Saud signed a 123 agreement, together with a draft Bilateral Safeguards Agreement. On August 24, 2026, the Administration submitted to Congress the 123

[49] See "Subsequent Arrangements" in CRS Report RS22937, *Nuclear Cooperation with Other Countries: A Primer*, by Paul Kerr and Mary Beth Nikitin.

[50] U.S. Department of Energy, "U.S. Energy Secretary and Saudi Arabia's Energy Minister Announce Deal on Civil Nuclear Cooperation," November 18, 2025.

[51] The White House, "Fact Sheet: President Donald J. Trump Solidifies Economic and Defense Partnership with the Kingdom of Saudi Arabia," November 18, 2025.

[52] Unless waived, a provision of current law (P.L. 116-92, §1264; 42 U.S.C. §2153 note) restricts the executive branch from submitting a Nuclear Proliferation Assessment Statement (NPAS) required for congressional review of 123 agreements for countries, such as Saudi Arabia, that have not agreed to certain international safeguards.

agreement text, the required NPAS, the BSA, and a presidential determination that the proposed agreement "will promote, and will not constitute an unreasonable risk to, the common defense and security."[53] The 123 agreement, which has a 30-year duration, is to enter into force after the governments exchange diplomatic notes informing each other that each government has completed its "domestic requirements" for the agreement's entry into force. The agreement states: "This Agreement may be amended upon mutual written agreement of the Parties." The nature of any mutually agreed amendments would determine the necessity of a new agreement pursuant to the AEA.

According to the 123 agreement, the United States and Saudi Arabia "intend to cooperate in the safe and secure use of nuclear energy for peaceful purposes."[54] The text specifies that the two governments have agreed to develop Saudi "infrastructure and capacity … for peaceful uses of nuclear energy in a manner that takes full advantage of existing" Saudi resources, according to the agreement's text, which adds that Saudi Arabia "agrees to partnering with Qualified Suppliers for nuclear power reactors, nuclear reactor fuel, and all other aspects of the nuclear fuel cycle" in the country.

The agreement defines "qualified suppliers" as entities to which the United States and Saudi Arabia have "agreed in writing." Such suppliers may also be entities that have received or applied for licenses or authorizations from the Nuclear Regulatory Commission (NRC) or Department of Energy for a nuclear facility (Article 1(T)). The NPAS described the requirement that Saudi Arabia partner with qualified suppliers as "an unprecedented commercial provision unique to the proposed Agreement."[55]

The text of the 123 agreement does not use the words "exclusive" or "exclusivity"; however, an Arms Control Association analysis said, "Reportedly, one of the confidential side letters includes additional details on an exclusivity arrangement with U.S. suppliers."[56] The analysis concluded that the qualified supplier requirements are "clearly intended to favor U.S. companies." In October 2026 public remarks on the 123 agreement and in response to a question about potential Saudi cooperation with other countries on nuclear activities that would not involve materials or technology covered by the 123 agreement, National Nuclear Security Administration (NNSA) Deputy Administrator for Defense Nuclear Nonproliferation Matthew Napoli said,

> The deal is … an exclusivity issue with the United States. So you will not be seeing … a Chinese reactor being built in Saudi Arabia. Or Chinese activities being built in Saudi Arabia. It's a bilateral agreement between the United States and it's exclusive with the United States. So under that premise there shouldn't be any other activities taking place within that country. And if they're doing something outside their Comprehensive Safeguards Agreement, the Agency [IAEA] should be able to have access to that and make sure they're not violating the terms of their … Comprehensive Safeguards Agreement with the Agency or their Bilateral Safeguards Agreement with the United States.… This

[53] House Document 119-191, Communication from the President of the United States Transmitting an Agreement for Cooperation Between the Government of the United States and the Government of the Kingdom of Saudi Arabia Concerning Peaceful Uses of Nuclear Energy, Pursuant to 42 U.S.C. 2153(d); Public Law 95–242, Sec. 401; (92 Stat. 144) And 42 U.S.C. 2153(D); Aug. 1, 1946, Ch. 724, Title I, Sec. 123 (As Amended By Public Law 109–401, Sec. 104(E)); (120 Stat. 2734), August 27, 2026.

[54] Either government may terminate the agreement with a year's notice.

[55] NPAS, IV, August 2026.

[56] Kelsey Davenport, "The U.S.-Saudi Agreement for Civil Nuclear Cooperation: Answers to Frequently Asked Questions," Arms Control Association, September 1, 2026, https://www.armscontrol.org/blog/2026-09-01/us-saudi-agreement-civil-nuclear-cooperation-answers-frequently-asked-questions.

> agreement will provide the Agency with more tools in the toolbox than it currently has to enact safeguards upon the kingdom.[57]

Joint Enrichment and Conversion Study[58]

Stating that the United States and Saudi Arabia "may explore options to support the long-term commercial feasibility of civil uranium enrichment capacity," the 123 agreement specifically contemplates the U.S. transfer of sensitive nuclear technology to Saudi Arabia to support a "Joint Enrichment and Conversion Study."[59] The study is to begin upon the agreement's entry into force and be completed within two years; within the agreement, the two governments "confirmed their shared understanding" that Saudi Arabia is not permitted to use any such transferred technology "for other purposes."

As part of the joint study, the governments are to "consult with a view to identifying appropriate options for" enriching uranium subject to the 123 agreement, as well as "for further development or demonstration" in the United States "of relevant technologies that could be deployed" in Saudi Arabia. These consultations are to "take into account … the specific characteristics of the technologies involved in such options," as well as "the global commercial market." The consultations are also to consider "the economic viability of" and "potential modalities for" a Saudi enrichment facility.

After the study's completion, the governments are to "consult regarding considerations for the transfer of sensitive nuclear facilities or sensitive nuclear technologies." However, the BSA must be in force prior to U.S. provision of "consent for enrichment or support for any enrichment facility" in Saudi Arabia. In addition, the transfer of "sensitive nuclear facilities and major critical components thereof" requires U.S. consent. The 123 agreement also requires U.S. consent in order for Saudi Arabia to engage in certain future enrichment activities. For example, Saudi Arabia could enrich either uranium transferred pursuant to the agreement or uranium "used in or produced through the use of equipment transferred" pursuant to the same agreement. But these activities would require U.S consent under the terms of the agreement.

Similarly, Saudi Arabia must also obtain U.S. consent, as well as complete a "Joint High-Assay Low-Enriched Uranium Enrichment Study," before modifying or operating an enrichment facility to produce enriched uranium containing more than 5% U-235. This provision covers enrichment facilities which use "equipment or technology transferred pursuant to" the 123 agreement. Any such enrichment agreement would permit Saudi production of only enriched uranium containing less than 20% U-235.

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[57] NNSA Deputy Administrator for Defense Nuclear Nonproliferation Dr. Matthew Napoli, Remarks at the Carnegie Endowment for International Peace, "The Future of Defense Nuclear Nonproliferation: A Conversation with Dr. Matthew Napoli," October 20, 2026, https://www.youtube.com/watch?v=f4D4xTRONRw.

[58] Unless otherwise noted, this section is based on the text of Article 7 of the proposed agreement.

[59] The agreement defines "sensitive nuclear technology" as

> any information, including information incorporated in equipment or a component, that is not in the public domain and that is important to the design, construction, fabrication, operation, or maintenance of any sensitive nuclear facility, or any other such information that may be so designated by written agreement of" the United States and Saudi Arabia.

The agreement defines "sensitive nuclear facility" as "any facility designed or used primarily for uranium enrichment, reprocessing of nuclear fuel, heavy water production, or fabrication of nuclear fuel containing plutonium."

Bilateral Safeguards Agreement[60]

The package submitted to Congress by President Trump includes a Bilateral Safeguards Agreement, which the two governments signed this past July.[61] The United States is not to "transfer … any nuclear material, equipment, or components pursuant to" the agreement until Saudi Arabia brings the BSA, which is a feature unique to the 123 agreement, into force and the IAEA Board of Governors has authorized the agency's Director General to "implement safeguards and verification measures identified in and related to" the 123 agreement. According to its text, the BSA is not to "affect" the IAEA's "rights and obligations" pursuant to Saudi Arabia's CSA. The United States and Saudi Arabia are to implement the BSA "consistent with" the IAEA's authorities under the agency's statute.

The BSA would require Saudi Arabia to conduct all uranium conversion, uranium enrichment, fuel fabrication, reprocessing, and "any associated research and development activity" at a "covered site." The BSA defines a covered site as "a geographic area delimited by Saudi Arabia … related to the scope" of such nuclear activities when undertaken pursuant to the 123 agreement. The Saudi government is to determine covered sites "following consultations" with the United States.

The BSA also contains provisions that supplement Saudi Arabia's CSA obligations to provide information about and access to the government's nuclear program. These provisions are more than is required by the government's CSA alone, but less than an Additional Protocol to the CSA would require (see **Appendix B**). For example, within 180 days of the BSA's entry into force, Saudi Arabia is to provide the IAEA with several categories of information concerning the government's nuclear program. These categories include

- a "list of covered sites";
- a "description of each building on each covered site that is under development, supplied, built, or operated in Saudi Arabia" under the 123 agreement;
- a "description of nuclear fuel cycle-related research and development activities" on each covered site that do not include nuclear material; and
- a list of "nuclear-related equipment and non-nuclear material" imported by Saudi Arabia pursuant to the 123 agreement.

Saudi Arabia is to provide the agency with "short notice access … to any place on a covered site to verify, or to resolve a question related to, the correctness and completeness" of the above-described Saudi-provided information. Should providing this access fail to resolve such a question, the United States and Saudi Arabia would "immediately consult" with the IAEA on "appropriate procedures and means to resolve the question … without delay."

As discussed above, a senior U.S. official has stated that the "agreement will provide the Agency with more tools in the toolbox than it currently has to enact safeguards upon the kingdom."[62]

[60] Unless otherwise noted, this section is based on the text of the bilateral safeguards agreement.

[61] The United States signed the agreement on July 20; Saudi Arabia signed the agreement on July 22, 2026. The agreement's full title is the "Agreement Between the Government of the United States of America and the Government of the Kingdom of Saudi Arabia for the Application of Additional Safeguards and Verification Measures to the United States-Saudi Arabia Agreement for Cooperation Concerning Peaceful Uses of Nuclear Energy."

[62] NNSA Deputy Administrator for Defense Nuclear Nonproliferation Dr. Matthew Napoli, Remarks at the Carnegie Endowment for International Peace, "The Future of Defense Nuclear Nonproliferation: A Conversation with Dr. Matthew Napoli," October 20, 2026, https://www.youtube.com/watch?v=f4D4xTRONRw.

Congressional Review

This section describes AEA congressional review procedures for a nuclear cooperation agreement, such as the agreement with Saudi Arabia, which the President has not exempted from any requirements of Section 123(a).[63] Congress has the opportunity to review such an agreement during two consecutive time periods totaling 90 days of continuous session. After the review period, the President is permitted take the steps necessary for the agreement's entry into force.

The AEA requires the President to submit the text of the proposed nuclear cooperation agreement, along with the unclassified NPAS, to the House Foreign Affairs Committee and the Senate Foreign Relations Committee. The President must also authorize "the execution of the proposed agreement for cooperation" and make "a determination in writing that the performance of the proposed agreement will promote, and will not constitute an unreasonable risk to, the common defense and security." The President is then to consult with the committees "for a period of not less than 30 days of continuous session."

After this period of consultation, the President is to submit the agreement to Congress, along with the above-described presidential approval and determination, as well as the classified NPAS.[64] This action begins the second review period, which lasts for 60 days of continuous session. At the beginning of this 60-day period, joint resolutions of disapproval are to be automatically introduced in each house. During this period, the committees are to hold hearings on the proposed agreement and "submit a report to their respective bodies recommending whether it should be approved or disapproved." If either committee has not reported the requisite joint resolution of disapproval by the end of 45 days, the committee is automatically discharged from further consideration of the measure. After the joint resolution is reported or the committee is discharged from considering the resolution further, Congress is to consider it under expedited procedures, as established by Section 130i of the AEA.

The agreement can become effective after the 60-day period unless, during that time, Congress adopts a joint resolution disapproving the agreement and the resolution becomes law (after being signed by the President or a veto is overridden). In practice generally, the President has submitted the agreement to Congress, along with the unclassified NPAS, its classified annex, and his approval and determination, at the beginning of the full 90-day period. Congress has considered the 60-day period as following immediately upon the expiration of the 30-day period.

Section 1264 of the National Defense Authorization Act for Fiscal Year 2020 (P.L. 116-92, §1264; 42 U.S.C. §2153 note) prohibits the President from providing to Congress an NPAS for a 123 agreement with a country lacking an additional protocol.[65] The President can take action to waive this prohibition, with any waiver taking effect "90 days after the date on which the President submits" to the Senate Foreign Relations Committee, the House Committee on Foreign Affairs, and the House and Senate Armed Services Committees "a report describing the manner in which such agreement would advance the national security and defense interests of the United States and not contribute to the proliferation of nuclear weapons." In the case of the proposed U.S.-Saudi agreement, President Trump submitted such a report to Congress in late November 2025.

[63] The AEA allows the President to exempt a proposed nuclear cooperation agreement from the nonproliferation criteria specified in Section 123. Such agreements have different procedures for congressional review and are not discussed in this report.

[64] The State Department is required to provide the classified annex to the NPAS, prepared in consultation with the Director of National Intelligence.

[65] This requirement does not apply if the United States has in effect a nuclear cooperation agreement with that government as of June 19, 2019.

On August 24, 2026, President Donald Trump submitted to Congress a U.S.-Saudi AEA Section 123 agreement, together with a Bilateral Safeguards Agreement. The Administration also submitted two side letters to the agreement to Congress; the letters have not been publicly released.

Based on the U.S.-Saudi agreement's receipt in Congress, the review periods for the U.S.-Saudi 123 nuclear agreement may conclude in December 2026. The Senate Parliamentarian provides authoritative guidance on the procedures used to review AEA Section 123 agreements, including on what day the 90-day congressional review period began. If the 123 agreement is not disapproved after the congressional review period, it may enter into force through an exchange of diplomatic notes between the two countries.

Abraham Accords and Continuing Bilateral Discussions

The Biden Administration discussed the prospect for civilian nuclear cooperation with Saudi Arabia in the context of U.S. efforts to promote diplomatic normalization between Saudi Arabia and Israel.[66] Those discussions contributed to U.S.-Saudi mutual understandings on civil nuclear cooperation but did not result in a final agreement. President Trump has continued to promote Saudi-Israeli normalization, but reached agreement with Saudi Arabia on civil nuclear cooperation separately.

The U.S.-Saudi 123 agreement does not mention Israel or the Abraham Accords, but President Trump stated on July 21, 2026, that implementation of the agreement would be contingent on Saudi Arabia signing the Abraham Accords, which involve the recognition of Israel.[67] The Saudi government did not immediately address the President's statement. Saudi Arabia's Crown Prince said in 2025 that the kingdom wants to be a part of the Accords, but official Saudi statements continue to condition recognition of Israel on the establishment of an independent Palestinian state with East Jerusalem as its capital.[68]

The government of Israeli Prime Minister Benjamin Netanyahu has opposed the establishment of a Palestinian state, and leading Israeli opposition figure Gadi Eisenkot has pledged that no Palestinian state will arise under a government he forms.[69]

In a Senate Foreign Relations Committee confirmation hearing in November 2026, the U.S. Ambassador-designate to Saudi Arabia said the matter is subject to continuing negotiations.[70]

[66] See CRS Report R48162, *Possible U.S.-Saudi Agreements and Normalization with Israel: Considerations for Congress*, by Christopher M. Blanchard.

[67] Kelsey Davenport, "Trump Adds Conditions to U.S.-Saudi Nuclear Cooperation Deal," *Arms Control Today*, September 2026, at https://www.armscontrol.org/act/2026-09/news/trump-adds-conditions-us-saudi-nuclear-cooperation-deal.

[68] Bloomberg Government Transcript, "President Donald J. Trump Participates in a Bilateral Meeting with Crown Prince Mohammed Bin Salman of Saudi Arabia," November 18, 2025; and, UN General Assembly, General Debate, September 28, 2026, at https://gadebate.un.org/en/81/saudi-arabia.

[69] Gadi Eisenkot (@gadi_eisenkot), X post, August 22, 2026, 1:00 PM, https://x.com/gadi_eisenkot/status/2091209017259368960?s=20.

[70] Testimony of Representative Wesley Hunt, U.S. Ambassador-designate to Saudi Arabia, before the Senate Foreign Relations Committee, November 10, 2026, at https://www.foreign.senate.gov/hearings/nominations-11-10-2026.

Issues for Congress

Nonproliferation

The NPAS notes that "Saudi Arabia signed and ratified the NPT as a non-nuclear weapon State Party in 1988 and has had a Comprehensive Safeguards Agreement (CSA) in force with the International Atomic Energy Agency (IAEA) since 2009."[71] While the NPT obligates non-nuclear weapon states not to acquire nuclear weapons, it also guarantees access to the peaceful use of nuclear technology under safeguards. The NPAS states that Saudi Arabia "lacks comprehensive export control and dual-use regulations." The agreement's letter of transmittal to Congress says that that "An addendum to the NPAS containing a comprehensive analysis of the export control system of the Kingdom of Saudi Arabia with respect to nuclear-related matters, including interactions with countries of proliferation concern and the actual or suspected nuclear, dual-use, or missile-related transfers to such countries" was to be submitted to Congress separately by the Director of National Intelligence.

While Saudi policy maintains that Saudi nuclear energy pursuits are limited to peaceful purposes, Crown Prince Mohammed bin Salman said in 2018 and 2023 that if Iran were to obtain a nuclear weapon, the kingdom would have to follow suit.[72] The NPAS describes these statements as "concerning," but states that "the Kingdom has repeatedly reaffirmed its commitment to the peaceful uses of nuclear energy, the nuclear nonproliferation regime, and the NPT." The NPAS further argues, "The safeguards and other nonproliferation provisions contained in the proposed Agreement and the BSA would provide enhanced assurances that nuclear material, equipment, components, and technology supplied pursuant to the proposed Agreement will not contribute to nuclear weapons proliferation."

As with other Section 123 agreements, Article 11 of this agreement states that if either party does not comply with the agreement's nonproliferation provisions or violates their IAEA safeguards agreement, the other party has the right to cease further cooperation, terminate the agreement, and require the return of any material, nuclear material, equipment or components transferred or "any special fissionable material produced through the use of such items."

Some observers have highlighted the reported role that Saudi Arabia played from the 1970s onward in providing economic support to Pakistan that may have enabled its efforts to develop nuclear technology.[73] Saudi Arabia and Pakistan signed a mutual defense agreement in 2025, and, in 2026, Saudi Arabia, Turkey, and Pakistan signed a trilateral mutual defense agreement. An unnamed Saudi official described the Saudi-Pakistan agreement as "a comprehensive defensive

[71] NPAS, August 2026.

[72] CBS News, "Saudi Crown Prince: If Iran Develops Nuclear Bomb, So Will We," March 15, 2018; and Yaghoub Fazeli and Joanne Serrieh, "MBS: We Will Get Nuclear Weapon If Iran Does; Saudi 'Closer' to Israel Normalization," Al Arabiya English, September 20, 2023.

[73] General Saudi financial support to Pakistan may have helped enable Pakistan to pay for its nuclear weapons program, but whether KSA directly funded that program is unclear. Feroz Khan, former Director of Arms Control and Disarmament Affairs in Pakistan's Strategic Plans Division, which helps to manage the country's nuclear arsenal, wrote, "Saudi Arabia provided generous financial support to Pakistan that enabled the nuclear program to continue, especially when the country was under sanctions." Feroz Khan, *Eating Grass: The Making of the Pakistani Bomb*, Stanford University Press, 2012, pp. 386-387.

agreement that encompasses all military means."[74] The agreements do not specifically address nuclear cooperation.

Some former U.S. officials have speculated that Saudi Arabia could seek access to nuclear technology or weaponry from Pakistan through undisclosed bilateral arrangements.[75] Saudi officials have denied that such arrangements exist or are viable.[76] One former Obama Administration official has said that during "many years of working in the U.S. government, I never saw any information or intelligence that confirmed the existence" of an agreement for Pakistan to supply Saudi Arabia with nuclear weapons or use nuclear weapons to protect Saudi Arabia.[77]

Some press articles have included reports that Saudi Arabia is building undeclared nuclear facilities. In 2020, Saudi authorities denied claims attributed to "Western officials" that Saudi Arabia had accepted China's help to build a facility for milling uranium ore.[78] According to the NPAS, Saudi Arabia "declined to comment publicly on separate press reports alleging an 'undeclared nuclear site'" in the country.[79]

Some observers of the agreement have raised concerns that its terms may set precedents that other states may refer to in negotiation with the United States and lead to a weakening of U.S. nonproliferation policy.[80] For example, some states may seek alternative safeguards arrangements rather than adhering to the IAEA's model Additional Protocol. These observers have argued that the BSA does not address undeclared sites in the country, though such sites would need to be declared pursuant to Saudi Arabia's CSA. Others have expressed concern over the enrichment study provisions, U.S. openness to possible follow-on agreed transfers, and whether those terms may lead other states to acquire enrichment capabilities and encourage other states to transfer enrichment technology.[81]

[74] Maha Dahan and Saeed Shah, "Saudi Arabia, Nuclear-Armed Pakistan Sign Mutual Defence Pact," Reuters, September 18, 2025. For further discussion, see Sameer Ali Khan, "All Military Means? Pakistan, Saudi Arabia, and the Risks of Nuclear Ambiguity," CSIS Next Generation Nuclear Network, December 1, 2025.

[75] Mark Urban, "Saudi Nuclear Weapons 'On Order' from Pakistan," BBC News, *Newsnight*, November 6, 2013; and Rebecca Lissner and Erin D. Dumbacher, "The Pillars of the Global Nuclear Order Are Cracking," *Foreign Policy*, January 5, 2026.

[76] In a 2016 interview, Saudi Arabia's former Ambassador to the United States and long-time national director of intelligence Prince Turki al Faisal bin Abd al Aziz Al Saud discussed the advantages of nuclear ambiguity in the context of uncertainty about Iran's nuclear program while also seeking to counter expectations that the kingdom would or could seek nuclear weaponry or enrichment technology from Pakistan or other sources, saying that "you can't simply just buy it off the shelf … that's never been considered an option in the kingdom." Dan Drollette Jr., "View from the Inside: Prince Turki al-Faisal on Saudi Arabia, Nuclear Energy and Weapons, and Middle East Politics," *Bulletin of the Atomic Scientists*, vol. 72, iss. 1, January 2016.

[77] Dr. Gary Samore, "Shifting Sands: The New Alliances of the Middle East: Interview with Dr. Gary Samore," Maksim Nosenko, August 18, 2026, https://pircenter.org/en/projects/exclusive-interview/.

[78] Warren P. Strobel, Michael R. Gordon, and Felicia Schwartz, "Saudi Arabia, with China's Help, Expands Its Nuclear Program," *Wall Street Journal,* August 4, 2020; NPAS.

[79] NPAS; Mark Mazzetti, David E. Sanger and William J. Broad, "U.S. Examines Whether Saudi Nuclear Program Could Lead to Bomb Effort," *New York Times*, August 5, 2020.

[80] Erin Dumbacher, "The Saudi Nuclear Deal Would Set a Dangerous New Proliferation Precedent," Council on Foreign Relations, July 28, 2026; and Arms Control Association, "Nonproliferation Risks of the U.S.-Saudi Nuclear Cooperation Agreement," Volume 18, Issue 6, September 16, 2026.

[81] Cindy Vestergaard, "Nuclear Disruption: The US-Saudi 123 Agreement and the Future of Nuclear Cooperation in the Middle East," Stimson Center, September 14, 2026.

Export Controls and Supply Constraints

According to the NPAS, Saudi Arabia does not possess "any significant nuclear fuel cycle capabilities and will depend on the international market for nuclear fuel services for the near-term."[82] Nuclear-related exports to Saudi Arabia, therefore, would likely be subject to various international requirements governing such exports. For example, Saudi Arabia's CSA requires IAEA safeguards on all legitimate transfers of nuclear technology; no country with comprehensive safeguards in place has used declared nuclear facilities to produce fissile material for weapons.[83] Moreover, major suppliers of uranium and fuel cycle technology have in force IAEA safeguards agreements that obligate those suppliers to report nuclear-related exports to the IAEA.[84] Some analysts have argued that "qualified suppliers" provisions of the proposed agreement as well as the associated consent rights would ensure nonproliferation commitments over the long term and would exclude suppliers that are "less committed to nonproliferation" as long as Saudi Arabia complies with the agreement.[85] Others have argued that the lack of an Additional Protocol is "in violation of Nuclear Suppliers Group standards that the United States has championed."[86]

As noted above, the multilateral Nuclear Suppliers Group (NSG), in which the United States participates, prohibits transfers of enrichment and reprocessing technology unless the recipient government has brought into force an Additional Protocol or, "pending this, is implementing appropriate safeguards agreements in cooperation with the IAEA … as approved by the IAEA Board of Governors."[87] In the absence of IAEA approval of appropriate safeguards under the proposed U.S.-Saudi Bilateral Safeguards Agreement or a similar agreement with another supplier, the NSG member states could enforce guidelines and voluntary restrictions on transfers of nuclear technology that would otherwise constrain Saudi Arabia's ability to obtain or develop enrichment and reprocessing facilities.[88] Nuclear weapon states are subject to additional

[82] NPAS, August 2026.

[83] North Korea restarted its nuclear weapons program after announcing its withdrawal from the NPT in 2003, but the IAEA had never completed an assessment of that country's nuclear activities. India used ostensibly-peaceful imported nuclear facilities to produce nuclear weapons, but India has never been a party to the NPT.

[84] *Safeguards Implementation Practices Guide on Provision of Information to the IAEA*, International Atomic Energy Agency, IAEA Services Series 33, June 2016; *Notification to the Agency of Exports and Imports of Nuclear Material* INFCIRC/207, July 26, 1974.

[85] Matt Bowen and Richard Nephew, "The US-Saudi Nuclear Cooperation Agreement Would Serve US Interests," Commentary, Center on Global Energy Policy at Columbia, September 24, 2026.

[86] "Letter from Nonproliferation Experts on the Flawed U.S. Saudi Nuclear Cooperation Deal," Arms Control Association, September 22, 2026.

[87] IAEA, "Communication Received from the Permanent Mission of the Argentine Republic to the International Atomic Energy Agency Regarding Certain Member States' Guidelines for the Export of Nuclear Material, Equipment and Technology," Information Circular INFCIRC/254/Rev.15/Part 1, April 21, 2026, https://www.iaea.org/sites/default/files/2026-04/infcirc254r15p1.pdf. For more information about the NSG, see CRS Report RL33865, *Arms Control and Nonproliferation: A Catalog of Treaties and Agreements*, coordinated by Mary Beth D. Nikitin.

[88] These criteria require a potential recipient to be an NPT state-party in good standing; to have a comprehensive safeguards agreement in force; to have no current breaches of safeguards obligations; to have a bilateral agreement with the supplier that contains nonproliferation assurances; to commit to international standards of physical protection and safety; and to implement effective export controls and adhere to the NSG guidelines. In addition, the amended guidelines require a recipient state to have brought into force an Additional Protocol to its IAEA safeguards agreement or, "pending this," to implement "appropriate safeguards agreements in cooperation with the IAEA, including a regional accounting and control arrangement for nuclear materials, as approved by the IAEA Board of Governors."

constraints by the NPT, Article I of which prohibits such states from assisting "in any way" any non-nuclear weapon state "to manufacture or otherwise acquire nuclear weapons."[89]

Security and Governance

Ongoing conflict in the Middle East region has demonstrated the vulnerability of Saudi critical infrastructure to attack by missiles and drones. The U.S. travel advisory for Saudi Arabia notes that "Iran and Iran-backed Houthi rebels have launched missile and drone attacks into Saudi Arabia" and states that terrorist attacks "can occur with little or no warning" against targets that may include government facilities and areas frequented by U.S. citizens.[90] In May 2026, an attack on the United Arab Emirates reportedly damaged electrical equipment at the UAE's Barakah nuclear power plant; U.S. and South Korean-origin UAE missile defense systems contributed to the UAE's defenses.[91]

Saudi Arabia is a monarchy without a legislative body or other constitutionally established entities with budgetary or oversight authorities. National security and economic decisionmaking in Saudi Arabia are functions of the kingdom's executive leadership, as manifested in the cabinet and the Crown Prince in his roles as Prime Minister and Chairman of the Council of Political and Security Affairs, the Council of Economic and Development Affairs, and the Public Investment Fund, the kingdom's sovereign wealth fund. Policy decisions and the issuance of legal and regulatory mechanisms to implement them are functions of the Saudi executive. As noted above, succession in Saudi Arabia could occur at any time given the king's advanced age and health challenges. Members of Congress have taken divergent approaches to bilateral cooperation with Saudi Arabia, with some prioritizing sustaining cooperation and others taking a more conditional approach reflecting concerns about national security, human rights, or regional developments.

On a bilateral basis, the implementation of a civil nuclear cooperation agreement and the involvement of U.S. personnel in bilateral safeguards activities could extend the duration and expand the extent of U.S. official presence in Saudi Arabia, with attendant security and cost implications. As of October 2026, the U.S. State Department advised U.S. citizens to "Reconsider Travel" to Saudi Arabia due to "risk of Iranian drone and missile targeting of American interests, armed conflict, terrorism, exit bans, and local laws regarding social media activity."

Possible Regional and Diplomatic Implications

The development of civilian nuclear energy infrastructure has been a subject of broad interest in the Middle East region for decades, and U.S. decisionmakers have considered bilateral relationships, nonproliferation goals, and global strategic competition as factors in developing U.S. policy and priorities. In the wider Middle East and North Africa region, the United States has concluded 123 agreements with Morocco, Turkey, and the UAE.

It is possible that future discussions with regional partners over nuclear cooperation will be influenced by the content of the proposed Saudi agreement and that U.S. interlocutors may seek similar terms that they may deem favorable, including with regard to consideration of potential nuclear fuel development and the development and acceptance of bilateral rather than multilateral safeguards arrangements. The 2009 U.S.-UAE nuclear agreement provides the United States the

[89] IAEA, "Treaty on the Non-Proliferation of Nuclear Weapons," Information Circular INFCIRC/140, April 22, 1970, https://www.iaea.org/sites/default/files/publications/documents/infcircs/1970/infcirc140.pdf.

[90] U.S. State Department, Travel Advisory—Kingdom of Saudi Arabia, October 12, 2026.

[91] Kim Min-Young, "Attack on UAE Nuclear Plant Raises Profile of Korean-Made Air Defense System," *Korea JoongAng Daily*, May 18, 2026.

right to terminate nuclear cooperation if the UAE "possesses sensitive nuclear facilities within its territory or otherwise engages in activities within its territory relating to enrichment of uranium or reprocessing of nuclear fuel." A bilateral Agreed Minute supplementing the 2009 agreement states that its terms "shall be no less favorable in scope and effect" than U.S. agreements with other countries in the Middle East and that the United States will, at the UAE's request, consult "regarding the possibility of amending" the agreement with equally favorable terms. The U.S.-UAE agreement and Agreed Minute do not have qualified supplier or U.S.-approved supplier provisions.

U.S. agreements with Saudi Arabia and other regional partners may influence the course of future discussions with Iran over its nuclear activities. Iranian officials, including officials of any successor government to the current Islamic Republic, could cite U.S. acceptance of uranium enrichment for fuel production by Iran's regional neighbors as a reason that Iran should not face efforts to force it to forgo such technologies and initiatives itself.

Legislative Developments in the 119th Congress[92]

The following measures and actions in the 119th Congress have addressed a potential nuclear cooperation agreement with Saudi Arabia:

- **No Nuclear Weapons for Saudi Arabia Act of 2026** (S. 4243, Markey) was introduced on March 26, 2026, and referred to the Senate Foreign Relations Committee. The bill would prohibit a Section 123 agreement with Saudi Arabia from taking effect without a joint resolution of approval. It would express a sense of Congress that the United States should not approve a civilian nuclear cooperation agreement with Saudi Arabia until its government has "renounced uranium enrichment and reprocessing on its territory, as well as agreed to an Additional Protocol with the International Atomic Energy Agency."
- A **House Joint Resolution disapproving the proposed civilian nuclear cooperation agreement between the United States and Saudi Arabia submitted to the Congress on September 14, 2026** (H.J.Res. 217, Meeks) was introduced on September 16, 2026, and referred to the House Foreign Affairs Committee.
- In November 2025, the chairman and ranking member of the Senate Foreign Relations Committee each stated that any agreement with Saudi Arabia should meet "the gold standard."[93]
- In September 2026, a bipartisan group of 18 Senators wrote to the Secretaries of State and Energy urging them "to immediately declassify and publicly release the two side letters associated with the Trump Administration's proposed U.S.-Saudi 123 civil nuclear cooperation agreement."[94]
- A **Senate Joint Resolution providing for congressional disapproval of the agreement for civilian nuclear cooperation between the United States and**

[92] See also CRS Report R42853, *Nuclear Energy: Overview of Congressional Issues*, by Mark Holt.

[93] Senate Foreign Relations Committee (SFRC) Ranking Member Senator Jeanne Shaheen, "Ranking Member Shaheen Statement on President Trump's Meeting with Crown Prince of Saudi Arabia Mohammed bin Salman," press release, November 18, 2025; and SFRC Chairman Senator Jim Risch quoted in Rachel Oswald, "U.S.-Saudi Bonhomie Masks Divide over Nuclear Technology," *Foreign Policy*, November 19, 2025.

[94] Office of Senator Ed Markey, "Markey, Merkley, Bipartisan Group of Senators: Trump Administration Must Release All Documents from U.S.-Saudi Nuclear Deal," press release, September 16, 2026.

the Kingdom of Saudi Arabia (S.J.Res. 221, Merkley) was introduced on October 15, 2026, and referred to the Senate Foreign Relations Committee.

Other proposed legislation would address nuclear reactors in conflict zones, including the Middle East region:

- **Reactors at Risk Act of 2026** (S. 4495, Markey), introduced May 12, 2026, and referred to the Senate Armed Services Committee. The bill would require a report to Congress about the dangers of nuclear power plants in conflict affected or conflict vulnerable regions defined in the bill.

In previous Congresses, legislation sought to limit funding for nuclear cooperation with Saudi Arabia. Congress enacted a provision during the 116th, 117th, and 118th Congress, stating that no funds appropriated or otherwise made available to the State Department "should" be obligated or expended by the Export-Import Bank to support nuclear exports to Saudi Arabia unless the government had "committed to renounce uranium enrichment and reprocessing on its territory under that agreement" and had "signed and implemented an Additional Protocol" to its IAEA CSA.[95] This provision was carried forward in the Full-Year Continuing Appropriations and Extensions Act, 2025 (Sections 1101 and 1106 of P.L. 119-4), but was not included in the National Security, Department of State, and Related Programs Appropriations Act, 2026 (Division F, P.L. 119-75). In the 119th Congress, the House-passed version of the National Security, Department of State, and Related Programs Appropriations Act, 2027 (H.R. 8595) does not include this provision.

Outlook and Options

With the proposed nuclear agreement, bilateral safeguards agreement, and accompanying side letters before Congress for review, Members may consider the proposals for cooperation in light of U.S. national security interests, commercial opportunities, nonproliferation policies, and interbranch precedents. As proposed, the agreement could provide a basis for decades of close U.S.-Saudi nuclear cooperation, including with regard to reactor sales and operation, nuclear fuel production, training, and industrial applications. Absent congressional adoption of a joint resolution of disapproval, the executive branch could exchange diplomatic notes with Saudi Arabia, after which the agreement could enter into force. Near term steps in implementation could include an exchange of diplomatic notes and initial steps to support implementation of the bilateral safeguards agreement and joint study.

Should Congress choose to condition or reject the agreement, the executive branch and the Saudi government could take a number of different approaches, depending on the nature and content of legislative action. Under conditions in which Congress were to require certification of specific steps by Saudi Arabia—such as Saudi adoption of an Additional Protocol to its CSA—prior to the implementation of parts of the proposed agreement, the Saudi government could choose either to take the mandated steps or forgo the prospect of deeper nuclear cooperation with the United States. Rejection could lead Saudi Arabia to pursue closer cooperation with other suppliers and could have implications for other aspects of U.S.-Saudi relations. To the extent that other global exporters are willing and able to offer the kingdom satisfactory terms for cooperation and comparable technological cooperation, Saudi leaders may find non-U.S. alternatives compelling.

[95] The same provision was included in appropriations acts in FY2023 (P.L. 117-328), FY2022 (P.L. 117-103 §7041(i)), FY2021 (P.L. 116-260), and FY2020 (P.L. 116-94).

Under future circumstances in which Saudi Arabia's nuclear program were to become a subject of acute proliferation concern—whether under the proposed agreement or in its absence—the United States and other global actors could face challenges in using coercive economic policies to induce Saudi compliance with nonproliferation related requests. The United States and other actors have sought to use economic means, including sanctions, to respond to proliferation concerns in other contexts, including with regard to Iran. Isolating Saudi Arabia economically in the event that its nuclear program became a matter of proliferation concern could prove difficult for concerned parties, given the kingdom's central role in the world's oil market, its vast wealth, and its global investment posture. Similarly, the potential for the interruption of U.S.-Saudi security cooperation, including through training programs and the sale of U.S. defense articles and services, presumably would be weighed seriously by U.S. and Saudi officials when discussing potential issues of proliferation concern. Congress has conditioned aspects of U.S.-Saudi defense cooperation in the past, but has not acted to durably sever security ties. It is possible, though not certain, that the conclusion and implementation of the proposed agreement and bilateral safeguards measures would afford the United States increased insight into nuclear related developments in the kingdom that could limit the potential for proliferation concerns to emerge.

Additional Legislative Models and Oversight Options

Congress has several means with which to conduct oversight of the U.S.-Saudi 123 agreement's implementation, including but not limited to holding hearings and requiring reports from the executive branch. Congress could also examine adequacy of personnel and resources in support of the BSA and Joint Study. Congress could consider legislation requiring the executive branch to take certain actions before either issuing licenses for nuclear exports or following through with the necessary steps to bring the agreement into force. Legislation concerning U.S. nuclear cooperation agreements with China and India provide illustrative examples of this latter approach.

People's Republic of China (PRC)[96]

In 1985, President Ronald Reagan submitted the first U.S.-China nuclear cooperation agreement to Congress, which adopted a joint resolution, P.L. 99-183, requiring that the President make certain nonproliferation-related certifications, as well as issue a report "detailing the history and current developments of PRC "nonproliferation policies and practices." This resolution also prohibited the U.S. government from issuing licenses for certain nuclear-related exports to China until 30 days of continuous session of Congress had elapsed following presidential fulfillment of these requirements. The required certification was not submitted until 1998 (see below).

In the context of U.S. concern about the PRC government's actions in response to the Tiananmen Square demonstrations in 1989, the Foreign Relations Authorization Act for Fiscal Years 1990 and 1991 (P.L. 101-246) imposed a number of sanctions on China, including suspending nuclear cooperation under the 1985 agreement, as well as requiring an additional presidential certification that the PRC government had provided additional nonproliferation assurances. On January 12, 1998, President William Clinton signed the required certifications regarding China's nuclear nonproliferation policy and practices. President Clinton also issued a certification and waived a sanction imposed under P.L. 101-246.[97] Congressional review ended on March 18, 1998.

[96] For more information, see CRS Report RL33192, *U.S.-China Nuclear Cooperation Agreement*, by Mark Holt, Mary Beth D. Nikitin, and Paul K. Kerr.

[97] William Clinton, letter to Newt Gingrich, Speaker of the House, January 12, 1998.

India[98]

The Henry J. Hyde United States and India Nuclear Cooperation Promotion Act of 2006 (P.L. 109-401; hereinafter "Hyde Act"), which permitted the President to waive several AEA provisions with respect to the U.S. nuclear cooperation agreement with India, required that Congress enact a joint resolution of approval in order for the agreement to enter into force.[99] President George W. Bush signed the United States-India Nuclear Cooperation Approval and Nonproliferation Enhancement Act (P.L. 110-369), which approved the agreement, into law on October 8, 2008.

The United States-India Nuclear Cooperation Approval and Nonproliferation Enhancement Act contains conditions for both the exchange of diplomatic notes and NRC issuance of export licenses. For example, this law conditioned the exchange of diplomatic notes with India, a necessary step for the agreement's entry into force, on two Presidential certifications. President Bush transmitted these certifications, along with a Memorandum of Justification, on October 20, 2008. The memorandum did not explain the reasoning underlying the determinations.

The same law also required that the President issue certain certifications to Congress before the NRC could issue export licenses. President Barack Obama submitted the required certification to Congress on February 3, 2010, determining that India has satisfied the legal requirement described above. The certification did not describe the reasoning underlying the determination. Both the Hyde Act and the United States-India Nuclear Cooperation Approval and Nonproliferation Enhancement Act also require executive branch reports about various aspects of the agreement.

Other Legislative Options

Congress could consider legislation requiring the President to submit for congressional review amendments or subsequent arrangements to the U.S.-Saudi agreement. As noted, the 123 agreement provides for amendments by mutual agreement. The AEA requires only that the President keep the Senate Foreign Relations and House Foreign Affairs Committees "fully and currently informed of any initiative or negotiations relating to" such an amendment. Congress could also specify procedures for considering subsequent arrangements to the 123 agreement. The AEA provides for congressional notification, but not review, of certain types of subsequent arrangements.[100] The United States-India Nuclear Cooperation Approval and Nonproliferation Enhancement Act addressed this latter issue by specifying procedures for a particular subsequent arrangement, including provisions for Congress to review and adopt a joint resolution of disapproval.

Congress could consider legislation that curtails or waives the AEA-mandated congressional review period. For example, in 2016, the President submitted to Congress an extension of the U.S.-Norway nuclear cooperation agreement. To address concerns that an insufficient number of legislative days remained in the 114th Congress for congressional consideration, Congress

[98] For more information, see CRS Report RL33016, *U.S. Nuclear Cooperation with India: Issues for Congress*, by Paul K. Kerr.

[99] These exemptions were necessary because India has never signed the NPT and possesses nuclear weapons.

[100] See "Subsequent Arrangements" in CRS Report RS22937, *Nuclear Cooperation with Other Countries: A Primer*, by Paul Kerr and Mary Beth Nikitin.

adopted P.L. 114-320, which approved the agreement notwithstanding AEA review provisions and became law on December 16, 2016.[101]

[101] A bill to provide for the approval of the Agreement for Cooperation Between the Government of the United States of America and the Government of the Kingdom of Norway Concerning Peaceful Uses of Nuclear Energy.

Appendix A. Atomic Energy Act and Nuclear Cooperation Agreements[102]

Under the Atomic Energy Act (AEA) of 1954, as amended, all significant U.S. nondefense nuclear cooperation with other countries requires a nuclear cooperation agreement.[103] These agreements authorize cooperation but do not guarantee that cooperation will take place. Currently, the United States has 26 Section 123 agreements in force.[104] Significant nuclear cooperation includes the transfer of U.S.-origin special nuclear material subject to licensing for commercial, medical, and industrial purposes, and the export of reactors and critical parts of reactors.[105] The NRC issues licenses for the export of nuclear items pursuant to Section 103 of the AEA.

Requirements[106]

Section 123 of the AEA requires that nuclear cooperation agreements include the terms, conditions, duration, nature, and scope of cooperation, as well as meet nine nonproliferation criteria. The President must submit any such agreement to the House Committee on Foreign Affairs and the Senate Committee on Foreign Relations. The Department of State is required to provide the President an unclassified NPAS, which the President is to submit, along with the agreement, to the committees of referral. The State Department also is required to provide a classified annex to the NPAS, prepared in consultation with the Director of National Intelligence. The NPAS is meant to explain how a proposed agreement would meet the aforementioned nonproliferation criteria. The President also must make a written determination "that the performance of the proposed agreement will promote and will not constitute an unreasonable risk to, the common defense and security."

Section 123a, paragraphs (1) through (9), lists nine criteria that an agreement with a non-nuclear weapon state must meet:[107]

- safeguards on transferred nuclear material and equipment are to continue in perpetuity;
- the IAEA applies comprehensive safeguards in NNWS;
- nothing transferred is used for any nuclear explosive device or for any other military purpose;
- the United States has the right to demand the return of transferred nuclear materials and equipment, as well as any special nuclear material produced

[102] CRS Report RS22937, *Nuclear Cooperation with Other Countries: A Primer*, by Paul K. Kerr et al.

[103] CRS Report RS22937, *Nuclear Cooperation with Other Countries: A Primer*, by Paul K. Kerr et al.

[104] See Appendix A, CRS Report RS22937, *Nuclear Cooperation with Other Countries: A Primer*, by Paul K. Kerr et al.

[105] "Special nuclear material," defined by the AEA, means "(1) plutonium, uranium enriched in the isotopes 233 or 235, and any other material" that the Nuclear Regulatory Commission (NRC) "determines to be special nuclear material, but does not include source material, or (2) any material artificially enriched by any of the foregoing, but does not include source material." The AEA defines "source material" as "(1) uranium, thorium, or any other material" determined by the NRC "to be source material; or (2) ores containing one or more of the foregoing materials, in such concentration as the Commission may by regulation determine."

[106] Unless otherwise noted, this section is based on CRS Report RS22937, *Nuclear Cooperation with Other Countries: A Primer*, by Paul K. Kerr et al.

[107] The President may exempt a nuclear cooperation agreement from any of these requirements. The agreement with Saudi Arabia is not an exempt agreement.

through their use, if the cooperating state detonates a nuclear explosive device or terminates or abrogates an IAEA safeguards agreement;

- the recipient state will not retransfer material or restricted data without U.S. consent, which can be in the form of subsequent arrangements. Such arrangements are required for additional forms of nuclear cooperation pursuant to an existing 123 agreement;[108]
- the recipient state will maintain physical security on transferred nuclear material;
- the recipient state will obtain approval before enriching or reprocessing transferred nuclear material or nuclear material produced with materials or facilities transferred pursuant to the agreement;
- the recipient state will obtain U.S. advance approval for storage of transferred plutonium and HEU; and
- any material or facilities produced or constructed through use of sensitive nuclear technology transferred under the cooperation agreement will be subject to all of the above requirements.

The AEA and the IAEA Additional Protocol

The AEA does not require a country to adopt an Additional Protocol to its IAEA comprehensive safeguards agreement in order to conclude a 123 agreement with the United States. However, except for Argentina and Brazil, all states with which the United States has a 123 agreement have concluded such a protocol.[109]

Enrichment and Reprocessing Provisions

As noted, enrichment and reprocessing facilities are a source of proliferation concern. The AEA mandates that 123 agreements require U.S. consent for any "alteration in form or content" (to include enrichment or reprocessing) of U.S.-origin material or any material processed in a facility containing transferred U.S. nuclear technology, including reactors. Section 123 agreements also require U.S. consent for any retransfer of material or technology.[110] The AEA, however, does not require governments to forgo possession of enrichment and reprocessing facilities as a condition for concluding a 123 agreement.

U.S. policy has aimed to persuade certain countries with which it is negotiating nuclear cooperation agreements to forgo obtaining enrichment and reprocessing facilities.[111] As noted, the 2008 MOU stated Saudi Arabia's intent to refrain from enrichment and reprocessing. The United States concluded similar MOUs that year with Bahrain, Jordan, and the UAE. However, subsequent 123 agreements' provisions concerning enrichment and reprocessing have varied.

[108] See "Subsequent Arrangements" in CRS Report RS22937, *Nuclear Cooperation with Other Countries: A Primer*, by Paul Kerr and Mary Beth Nikitin.

[109] See Appendix C in CRS Report RS22937, *Nuclear Cooperation with Other Countries: A Primer*, by Paul K. Kerr and Mary Beth D. Nikitin. Since 1991 Argentina and Brazil have had a bilateral safeguards arrangement under the Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials (ABACC). The IAEA implements each country's CSA in cooperation with ABACC under a quadripartite agreement.

[110] See "Subsequent Arrangements," in CRS Report RS22937, *Nuclear Cooperation with Other Countries: A Primer*, by Paul K. Kerr and Mary Beth D. Nikitin.

[111] See CRS Report RL34234, *Managing the Nuclear Fuel Cycle: Policy Implications of Expanding Global Access to Nuclear Power*, coordinated by Mary Beth D. Nikitin.

The NSG guidelines for transfer of enrichment facilities, equipment, and technology state that suppliers should seek agreement from recipient states that an enrichment facility will not be used to produce enriched uranium containing more than 20% U-235 and should use a "black box" design when building the enrichment plant to prevent the recipient state from replicating the technology transferred.[112] It also specifies that safety and regulatory information should be shared "to the extent necessary without divulging enabling technology."

The AEA mandates that U.S. nuclear cooperation agreements require U.S. consent for any "alteration in form or content" (to include enrichment or reprocessing) of U.S.-origin material or any material processed in a plant containing transferred U.S. nuclear technology. But the AEA does not require governments to forgo enrichment and reprocessing as a condition for concluding a nuclear cooperation agreement.

The Obama Administration characterized its December 2009 nuclear cooperation agreement with the UAE as a potential precedent for mitigating the danger of nuclear proliferation associated with enrichment and reprocessing.[113] For example, President Obama's May 21, 2009, letter transmitting the agreement to Congress argued that the agreement had "the potential to serve as a model for other countries in the region that wish to pursue responsible nuclear energy development." Similarly, then-State Department spokesperson P. J. Crowley described the agreement as "the gold standard" during an August 5, 2010, press briefing, although the Obama Administration generally did not use this term when describing its nuclear cooperation policies.

The U.S.-UAE agreement states that the UAE

> shall not possess sensitive nuclear facilities within its territory or otherwise engage in activities within its territory for, or relating to, the enrichment or reprocessing of material, or for the alteration in form or content (except by irradiation or further irradiation or, if agreed by the Parties, post-irradiation examination) of plutonium, uranium 233, high enriched uranium, or irradiated source or special fissionable material.

The U.S.-UAE agreement also provides the United States with the right to terminate nuclear cooperation and to require the return of any nuclear "material, equipment or components … and any special fissionable material produced through their use" if, after the agreement's entry into force, the UAE "possesses sensitive nuclear facilities within its territory or otherwise engages in activities within its territory relating to enrichment of uranium or reprocessing of nuclear fuel."[114]

Notwithstanding its characterization of the U.S.-UAE agreement, the Obama Administration announced in December 2013 that renouncing domestic enrichment and reprocessing would not be a prerequisite to concluding a nuclear cooperation agreement for all countries, and each partner country would be considered individually.[115] For example, the U.S.-Vietnam nuclear cooperation agreement did not include an explicit renunciation of enrichment or reprocessing, but instead contained a political commitment in the preamble saying the country would rely on international markets for its nuclear fuel supply.[116] Article 8 of the 2015 U.S.-South Korea 123 agreement said that the United States would "ensure a reliable supply of low enriched uranium …

[112] IAEA, Information Circular 254, Rev. 15, Part 1, April 21, 2026, "Guidelines for Nuclear Transfers," 7(b), https://www.iaea.org/sites/default/files/2026-04/infcirc254r15p1.pdf.

[113] For more information, see CRS Report R40344, *The United Arab Emirates Nuclear Program and Proposed U.S. Nuclear Cooperation*, by Christopher M. Blanchard and Paul K. Kerr.

[114] The AEA requires that there is no enrichment or reprocessing by the recipient state of transferred nuclear material or nuclear material produced with materials or facilities transferred pursuant to the agreement without prior approval.

[115] Daniel Horner, "U.S. Policy of Nuclear Pacts Detailed," *Arms Control Today*, January/February 2014.

[116] CRS Report R43433, *U.S.-Vietnam Nuclear Cooperation Agreement: Issues for Congress*, by Mary Beth D. Nikitin et al.

for processing into nuclear fuel for use in the Republic of Korea."[117] That agreement also created a Joint Fuel Cycle Study to examine the feasibility of enrichment and reprocessing in the future.

An Agreed Minute to the U.S.-UAE agreement includes a provision which establishes its conditions as minimum standards for future such U.S. agreements in the Middle East. Stating that "the fields of cooperation, terms and conditions" accorded by the U.S.-UAE agreement "shall be no less favorable in scope and effect than those which may be accorded, from time to time, to any other non-nuclear-weapon State in the Middle East in a peaceful nuclear cooperation agreement," the Minute explains that, in the event that Washington concludes a more-favorable agreement with another regional government, the United States will, at the UAE's request, consult with the UAE "regarding the possibility of amending" the agreement in order to make its terms equally favorable to the new agreement.

[117] CRS Report R41481, *U.S.-South Korea Relations*, coordinated by Mark E. Manyin.

Appendix B. Comprehensive Safeguards Agreements and Additional Protocols

Comprehensive Safeguards Agreements

The Nonproliferation Treaty (NPT) requires non-nuclear-weapon states-parties (NNWS) to conclude Comprehensive Safeguards Agreements (CSAs) with the IAEA.[118] Such agreements, which apply safeguards "on all nuclear material in all nuclear activities in a State," are intended to enable the agency to detect the diversion of nuclear material from peaceful purposes to nuclear weapons uses, as well as to detect undeclared nuclear activities and material. Safeguards include agency inspections and monitoring of declared nuclear facilities. Although all nuclear material in an NNWS is subject to IAEA safeguards, CSAs, as a practical matter, limit the agency's monitoring and inspections authority in a particular country to facilities that have been declared by the government. CSAs authorize the IAEA to conduct special inspections.[119]

Although CSAs give the IAEA the authority "to verify the absence of undeclared nuclear material and activities, the tools available to it to do so, under such agreements, are limited," according to the agency.[120] As a practical matter, the IAEA's ability to inspect and monitor nuclear facilities, as well as obtain related information pursuant to a particular country's comprehensive safeguards agreement, is limited to facilities and activities that have been declared by the government.

Additional Protocols[121]

In 1991, IAEA inspectors revealed that Iraq, despite having a CSA in force, had concealed a nuclear weapons program by conducting activities in undeclared locations. As part of a larger effort to improve the agency's ability to detect of undeclared nuclear activities, the IAEA Board of Governors in 1997 adopted the model Additional Protocol (AP) to CSAs.[122] APs, which are voluntary, augment the IAEA's ability to detect clandestine nuclear facilities and activities by providing the IAEA with additional authority to inspect certain nuclear-related facilities and demand information from member states. The Additional Protocol also allows for "complementary access" by inspectors to sites on short notice.[123]

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[118] The treaty defines a nuclear-weapon state as "one which has manufactured and exploded a nuclear weapon or other nuclear explosive device" prior to January 1, 1967. These states are China, France, Russia, the United Kingdom, and the United States. All other NPT parties are non-nuclear weapon-states.

[119] CRS Report R43333, *Iran Nuclear Agreement and U.S. Exit*, by Paul K. Kerr et al.

[120] *Guidance for States Implementing Comprehensive Safeguards Agreements and Additional Protocols*, IAEA Services Series 21, May 2016.

[121] This description summarizes the Additional Protocol provisions most germane to enrichment and reprocessing. Unless otherwise noted, this section is based on the agency's Model Additional Protocol (INFCIRC/540).

[122] Former IAEA Office of Legal Affairs official Laura Rockwood wrote in 2022 that, prior to the IAEA's 1991 discovery of Iraq's secret nuclear weapons program, the agency's

> safeguards activities were, as a practical matter rather than due to a lack of legal authority, focused primarily on verifying declared nuclear material at declared facilities. Safeguards were implemented and evaluated on a facility-by-facility basis, rather than by examination of the State as a whole.

(Laura Rockwood, "IAEA Safeguards: Correctness and Completeness of States' Safeguards Declarations," in *Nuclear Law: The Global Debate*, ed. International Atomic Energy Agency (Asser Press, 2022)).

[123] IAEA, "IAEA Safeguards Overview: Comprehensive Safeguards Agreements and Additional Protocols," at https://www.iaea.org/es/node/10022.

The multilateral Nuclear Suppliers Group (NSG) export guidelines, which the United States has endorsed as an NSG participant, prohibit transfers of enrichment and reprocessing technology unless the recipient government has brought into force an Additional Protocol or, "pending this, is implementing appropriate safeguards agreements in cooperation with the IAEA … as approved by the IAEA Board of Governors."[124]

Information

The AP requires NNWS to provide certain types of information concerning nuclear-related activities that do not involve the use of nuclear material. CSAs already cover such activities that use nuclear material. The information most relevant to producing nuclear weapons falls into several categories:

- A "general description of and information specifying the location of nuclear fuel cycle-related research and development activities not involving nuclear material." These activities include those "specifically related to any process or system development aspect" of uranium enrichment and spent fuel reprocessing.
- A "description of the scale of operations for each location engaged in the activities specified" in the AP's Annex I, which covers a variety of activities related to enrichment, reprocessing, and nuclear reactors.
- Information "specifying the location, operational status and the estimated annual production capacity of uranium mines and [uranium] concentration plants." Uranium ore concentrate is a precursor of enriched uranium.
- Information about imported and exported nuclear material which has not "reached the composition and purity" necessary for the IAEA application of safeguards pursuant to a CSA.
- Information about imports and exports of "equipment and nonnuclear material" specified in the AP's Annex II, some of which are related to enrichment and reprocessing.

Access

The AP requires that NNWS provide the IAEA with access to any "location specified" by the agency. Depending on the type of facility, the IAEA may request access in order to "assure the absence of undeclared nuclear material and activities" in the facility or to "resolve a question relating to the correctness and completeness" of the information that a state has provided to the IAEA. The methods and activities (e.g., environmental sampling, radiation detection) that IAEA inspectors may undertake when accessing such a location vary depending on the facility's type.

The AP allows agency access to:

- uranium mines and uranium ore processing facilities located at the mines;

[124] IAEA, "Communication Received from the Permanent Mission of the Argentine Republic to the International Atomic Energy Agency Regarding Certain Member States' Guidelines for the Export of Nuclear Material, Equipment and Technology," Information Circular INFCIRC/254/Rev.15/Part 1, April 21, 2026, https://www.iaea.org/sites/default/files/2026-04/infcirc254r15p1.pdf, and CRS Report RL33865, *Arms Control and Nonproliferation: A Catalog of Treaties and Agreements*, coordinated by Mary Beth D. Nikitin.

- locations around and including facilities with nuclear material that a state has declared under its safeguards agreement;
- locations of nuclear fuel cycle-related research and development activities not involving nuclear material; and
- locations engaged in activities specified in Annex I of the Model AP. These activities include the manufacture of some components related to enrichment, reprocessing, and nuclear reactors.

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