United States Senate

WASHINGTON, DC 20510

September 25, 2026

The Honorable Marco Rubio
Secretary of State
U.S. Department of State
2201 C Street, NW
Washington, DC 20520

Dear Secretary Rubio,

In your Senate career, you were among the most consistent voices warning about the dangers of giving Saudi Arabia, whose leaders have threatened to pursue nuclear weapons, access to sensitive nuclear technology without proper safeguards. You co-authored bipartisan legislation that would have conditioned any nuclear cooperation agreement with Riyadh on the nonproliferation Gold Standard, which requires adherence to the strictest inspection standards under the International Atomic Energy Agency (IAEA)'s Additional Protocol and on Saudi Arabia forswearing enrichment and reprocessing. These are precisely the two conditions the recently announced U.S.-Saudi nuclear deal abandons; consequently, the deal creates a potential pathway for Saudi Arabia to acquire the nuclear material needed for a bomb. This reckless agreement may be the starting gun for a nuclear arms race in the Middle East, and we urge you to abandon it.

We are gravely disappointed to see the Trump Administration enter a deal to provide nuclear technology to Saudi Arabia that fails the Gold Standard nonproliferation test. The Gold Standard has longstanding bipartisan support and reflects internationally recognized best practices. By abandoning it, the agreement would allow Riyadh to acquire the means to potentially produce weapons-grade nuclear materials without the strictest nonproliferation safeguards the U.S. has long championed as a condition of such cooperation.

The U.S.-Saudi nuclear deal calls for a study lasting up to two years on uranium enrichment in Saudi Arabia.[1] After that, the United States could build a uranium enrichment plant on Saudi soil. The United States has never directly transferred an enrichment plant to a non-nuclear-weapon state, let alone one whose leaders have threatened to pursue nuclear weapons. The recklessness of this arrangement underscores the importance of utilizing the most stringent safeguards and protections, as reflected by the Gold Standard.

The Gold Standard is a commitment to forgo acquiring the means to produce weapons-grade uranium or plutonium, the key pathways to nuclear bombs, backed by the toughest IAEA inspections, known as the Additional Protocol. The Additional Protocol gives the IAEA the tools to verify the absence

[1] Agreement for Cooperation Between the Government of the United States of America and the Government of the Kingdon of Saudi Arabia Concerning Peaceful Uses of Nuclear Energy, as submitted to the U.S. Congress on Aug. 24, 2026. https://www.govinfo.gov/content/pkg/CDOC-119hdoc191/pdf/CDOC-119hdoc191.pdf

of undeclared nuclear activities country-wide; without it, the IAEA can only verify that declared materials have not been diverted. It significantly increases the IAEA's ability to monitor, track, and verify the peaceful use of nuclear material at sites where no nuclear material is present, such as centrifuge manufacturing plants and uranium mines, which ordinary safeguards do not reach. It has been accepted as an essential nonproliferation tool by 144 states. The United States led the push for the Additional Protocol during its development and has long advocated for its universalization. Moreover, the United States urged the Nuclear Suppliers Group to adopt the Additional Protocol as a condition of supplying enrichment and reprocessing to recipient states.

In a report to Congress in November 2025, the Trump Administration waived Congress' requirement for new nuclear partners to have an Additional Protocol in effect in this instance. It proposed instead a bilateral safeguards arrangement covering sites where U.S.-Saudi nuclear fuel cycle cooperation takes place, as determined and declared by Saudi Arabia. The bilateral safeguards arrangement does not provide all the safeguards of the Additional Protocol, either in scope or implementation. It therefore cannot verify the absence of undeclared activities outside the covered sites and cannot monitor activities across all stages of the fuel cycle.

In keeping with our values and commitments, the United States successfully negotiated inclusion of the Gold Standard in its 2009 agreement with the United Arab Emirates (UAE) and could have followed this precedent with respect to Saudi Arabia. The UAE agreement further provides that its terms shall be no less favorable than those the United States extends to any other non-nuclear-weapon state in the Middle East. By providing Saudi Arabia with a pathway toward enrichment, the UAE may seek the same deal, undoing the very standard that the 2009 agreement was written to set.

With this deal, the Trump Administration is departing from precedent, adopting looser restrictions, and caving to Saudi demands by agreeing to a process that is all but certain to allow Riyadh to acquire the means to enrich uranium and possibly develop nuclear weapons. If the Administration is serious about preventing that outcome, it should require Riyadh to meet the Gold Standard. And likewise, if Saudi Arabia genuinely has no intention of pursuing a nuclear weapon, it should have little objection to accepting the same commitments that the UAE and other states have made: implementing an Additional Protocol and banning enrichment and reprocessing.

Although not included in the agreement, media reports have suggested that the Saudi government would not have access to a U.S.-supplied and operated enrichment plant on Saudi soil.[2] While there is no evidence that Saudi officials have agreed to such a "black box" arrangement, if implemented, it would just raise additional concerns. It would be difficult to prevent the Kingdom from spying on a facility built on its soil and thus from gleaning sensitive information. Moreover, the leadership in Riyadh could change and decide to remove the U.S. operators and seize the plant outright. We should recall that it was the United States that provided the first nuclear technology to Iran in 1967, well before the 1979 Iranian revolution. Under President Eisenhower's Atoms for Peace program, the United States provided Iran with a research reactor and the fuel to run it: weapons-grade uranium.[3] We must not make such a catastrophic mistake again.

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[2] Michael R. Gordon & Stephen Kalin, *Trump Approves Landmark Nuclear Deal With Saudi Arabia in Big Win for Kingdom*, Wall Street Journal (July 22, 2026), https://www.wsj.com/world/middle-east/trump-approves-landmark-nuclear-deal-with-saudi-arabia-in-big-win-for-kingdom-2ed77584.

[3] Tehran Research Reactor (TRR), https://www.nti.org/education-center/facilities/tehran-research-reactor-trr/ (last visited Aug. 25, 2026).

A hypothetical black box arrangement could also commit the United States to far more than a commercial transaction. Sensitive American enrichment technology and the American personnel operating it would sit on Saudi soil, in a region at war and with the possibility of instability within the Kingdom itself. Given that an attack on the black box would be an attack on U.S. equities, we would be obliged to defend the facility. This would constitute a security guarantee by another name; an open-ended commitment to the defense of Saudi Arabia that Congress has not debated. Riyadh has long sought exactly such a guarantee. If the Trump Administration believes the United States should extend one, it should say so plainly and submit it to the Senate as a treaty, rather than attempt to create one by implication through a nuclear trade deal.

Furthermore, if the Trump Administration does not agree to build an enrichment plant in Saudi Arabia, after twelve years the deal would allow Riyadh to build an enrichment facility by itself or with another provider, rendering the U.S. study essentially irrelevant to whether Saudi Arabia ultimately enriches uranium. Such a facility would sit outside the bilateral arrangement and, absent an Additional Protocol, outside enhanced IAEA inspections as well.

Supporters of the deal argue that U.S. oversight of a Saudi nuclear program is better than pushing Riyadh toward Russia or China, who might offer looser terms. But the Trump Administration is offering Riyadh the loosest terms imaginable. That makes the argument a self-fulfilling prophecy. Moreover, the deal does not guarantee that Saudi Arabia will buy U.S. reactors. The Bush administration made similar promises about the 2008 U.S.-India nuclear deal, but since then, no U.S. reactors have been sold to New Delhi.[4]

Nor does the prospect of Saudi Arabia turning to Russia or China justify giving Riyadh access to enrichment technology. Saudi Arabia can purchase reactors and nuclear fuel on the international market without enriching uranium itself. And despite their nuclear cooperation with the Kingdom, Russia and China have both declined for years to provide Saudi Arabia with enrichment or reprocessing technology. By offering Riyadh such broad latitude, the United States risks weakening the very nonproliferation safeguards it claims to be protecting.

Given the risks, it is worth asking why the Trump Administration has not demanded the Gold Standard. The answer may have less to do with the technical merits of the deal than the interests surrounding it. Jared Kushner, for example, accepted a $2 billion investment from a Saudi sovereign wealth fund after leaving the White House at the end of the first Trump Administration. Westinghouse Electric, meanwhile, stands to make tens of billions of dollars if this agreement moves forward. Westinghouse's majority owner is closely associated with Newmark, the real-estate firm run and owned in part by the sons of Commerce Secretary Howard Lutnick.[5] These relationships warrant serious scrutiny and raise questions about whether commercial and personal interests are receiving improper weight in decisions with significant consequences for our national security.

The deal also fails to secure another longstanding U.S. objective: Saudi-Israeli normalization, coupled with an irreversible pathway toward Palestinian statehood. Normalization and Palestinian statehood were seemingly never part of the U.S.-Saudi negotiations and were not mentioned when the agreement was signed. Only later did President Trump assert that the deal was "totally subject to" Saudi

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[4] The U.S.-Saudi Agreement for Civil Nuclear Cooperation: Answers to Frequently Asked Questions, https://www.armscontrol.org/blog/2026-08-07/us-saudi-agreement-civil-nuclear-cooperation-answers-frequently-asked-questions (last visited Aug. 25, 2026).

[5] Eric Lipton & Kate Kelly, *Trump Is Pushing Nuclear Energy. His Family and Supporters Could Benefit.*, N.Y. Times (July 26, 2026), https://www.nytimes.com/2026/07/26/us/politics/trump-nuclear-energy-agenda-saudi-deal.html.

Arabia joining the Abraham Accords. Should this agreement proceed, the United States would provide Saudi Arabia a major strategic benefit without securing stronger nonproliferation safeguards or a meaningful diplomatic commitment.

The consequences of this nonproliferation failure will not stop with Saudi Arabia. If Riyadh gains the capability to produce bomb fuel without the strongest safeguards, why would other countries in the region demand any less? The result will be intensifying nuclear competition in a region currently on the verge of a wider war.

President Trump launched an unconstitutional war against Iran claiming it was necessary to stop Tehran from enriching uranium. Yet his Administration is now seeking to give Saudi Arabia access to the very technologies it says Iran must never possess. That hypocrisy undermines any chance of reaching a durable agreement with Iran. If Saudi Arabia can enrich uranium without the strongest inspections, Tehran will demand the same treatment. President Trump is weakening his own negotiating position while increasing the odds of regional nuclear proliferation.

For decades, leaders of both parties have understood that the fewer countries with the ability to build nuclear weapons, the safer the United States and the world would be. The Trump Administration is abandoning that principle.

History has shown us that nuclear arms races and nuclear proliferation do not make the United States safer. They make accidents more likely, miscalculation more deadly, and wars more catastrophic. President Trump claims to oppose nuclear proliferation. The Saudi nuclear deal tells a different story. We urge you to abandon this dangerous agreement before it triggers a new nuclear arms race in the Middle East.

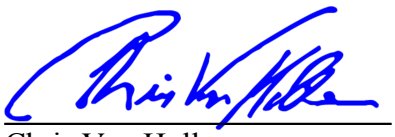
Sincerely,

Edward J. Markey
United States Senator

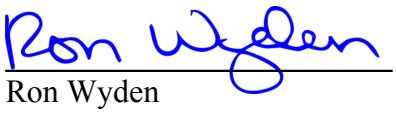
Jeffrey A. Merkley
United States Senator

Peter Welch
United States Senator

Tim Kaine
United States Senator



Chris Van Hollen
United States Senator



Ron Wyden
United States Senator

CC: Secretary Wright