

Nothing in the bill says we would have no aid to these countries. It simply says to these countries that if they protect our Embassy—Libya, if you continue to cooperate and send back terrorists and catch the assassins, you will continue to get our aid.

It conditions aid on behavior. Right now, aid is not being conditioned on behavior.

We have Pakistan, which has actually tortured a friend of America's. Dr. Shakil Afridi has been tortured for a year by the Pakistani Government.

The Foreign Relations Committee has done nothing to address that, and so we have Dr. Shakil Afridi now in prison for years—for the rest of his life, essentially. I don't see any action forthcoming from the Foreign Affairs Committee.

What I would say to my colleagues is this is a bill that places restrictions on foreign aid, it does not end foreign aid. It doesn't breach the Israel-Egypt treaty or the Camp David Accords. It is a canard. It is brought up routinely to try to prevent any changes or reform in foreign aid. We always hear it is going to end aid to Israel. It is a canard.

What I would say to my colleagues is this bill does not end foreign aid. It places restrictions on foreign aid. Ask the American people: Do you think these restrictions are appropriate? Do you think a host country should protect our Embassy? Do you think a host country such as Libya should be asked to continue to cooperate? Do you think a host country such as Pakistan should turn over a friend of America and not imprison and torture a friend of America?

I think these are very reasonable restrictions. I think these are restrictions we should have. I think these are restrictions anyone in America would say are very reasonable, and I urge adoption of the resolution.

The PRESIDING OFFICER. All time has expired.

Mr. KERRY. Mr. President, could we have order in the Senate.

The PRESIDING OFFICER. There is order in the Senate.

The Senator's time has expired.

Mr. KERRY. Mr. President, for such time as I have left, let me make it clear: The Paul legislation requires all identifiable persons associated with organizing, planning, participating in the attacks, trespass, breach, or attempted attack, have been identified by the Federal Bureau of Investigation, Bureau of Diplomatic Security, or other United States law enforcement entity, and are in United States custody. We are talking about other countries. That is an absolutely impossible-to-fulfill requirement and that is why it would result in the cutoff of aid automatically, and that is why it is dangerous.

The PRESIDING OFFICER. All time has expired.

PROVIDING LIMITATIONS ON UNITED STATES ASSISTANCE

The PRESIDING OFFICER. Under the previous order, the clerk will report S. 3576.

The legislative clerk read as follows:

A bill (S. 3576) to provide limitations on United States assistance, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the clerk will read the bill for the third time.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. PAUL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from Washington (Mrs. MURRAY) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from North Carolina (Mr. BURR), the Senator from Nevada (Mr. HELLER), the Senator from Oklahoma (Mr. INHOFE), the Senator from Illinois (Mr. KIRK), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Nevada (Mr. HELLER) would have voted: "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 10, nays 81, as follows:

[Rollcall Vote No. 196 Leg.]

YEAS—10

Crapo	Moran	Shelby
DeMint	Paul	Toomey
Grassley	Risch	
Lee	Roberts	

NAYS—81

Akaka	Durbin	Lugar
Alexander	Enzi	Manchin
Ayotte	Feinstein	McCain
Barrasso	Franken	McCaskill
Baucus	Gillibrand	McConnell
Begich	Graham	Menendez
Bennet	Hagan	Merkley
Bingaman	Harkin	Mikulski
Blumenthal	Hatch	Murkowski
Blunt	Hoeven	Nelson (NE)
Brown (MA)	Hutchison	Nelson (FL)
Brown (OH)	Inouye	Portman
Cantwell	Isakson	Pryor
Cardin	Johanns	Reed
Carper	Johnson (SD)	Reid
Casey	Johnson (WI)	Rockefeller
Chambliss	Kerry	Sanders
Coats	Klobuchar	Schumer
Coburn	Kohl	Sessions
Cochran	Kyl	Shaheen
Collins	Landrieu	Snowe
Conrad	Lautenberg	Stabenow
Coons	Leahy	Tester
Corker	Levin	Thune
Cornyn	Lieberman	Udall (CO)

Udall (NM)	Webb	Wicker
Warner	Whitehouse	Wyden

NOT VOTING—9

Boozman	Heller	Murray
Boxer	Inhofe	Rubio
Burr	Kirk	Vitter

The PRESIDING OFFICER. The 60-vote threshold not having been achieved, the bill is rejected.

EXPRESSING THE SENSE OF CONGRESS REGARDING THE NUCLEAR PROGRAM OF THE GOVERNMENT OF THE ISLAMIC REPUBLIC OF IRAN

The PRESIDING OFFICER. Under the previous order, the clerk will report S.J. Res. 41 by title.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 41) expressing the sense of Congress regarding the nuclear program of the Government of the Islamic Republic of Iran.

The Senate proceeded to consider the joint resolution.

The PRESIDING OFFICER. Under the previous order, there is now 2 minutes equally divided.

The Senator from South Carolina.

Mr. GRAHAM. Mr. President, this resolution has 83 cosponsors. Even I cannot lose this vote.

This resolution says it will not be the policy of the United States to allow the Iranian regime to get a nuclear weapon and try to contain them. President Obama has rejected containment. Governor Romney, 83 Senators have said that is a bad idea.

Very quickly, why will containment not work? If the Iranians get a nuclear weapon, every Sunni Arab state will want one themselves. Israel will never know a minute's peace. And my biggest fear: If we allow these people to get a nuclear weapon, they will share the technology with terrorists. The reason thousands have died in the war on terror—not millions—is because the terrorists cannot get the weapons to kill millions.

Senator CASEY has been terrific. My Democratic colleagues, thank you for working in a bipartisan fashion.

I yield now to Senator CASEY.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I want to, first of all, thank all the Members who are cosponsors, led by Senator GRAHAM, Senator LIEBERMAN, and our team doing this.

This is bipartisan on a very important issue. I think it does three things. It adds a sense of urgency because of the threat posed by an Iranian nuclear program, it adds clarity, and also the resolve of the American people to stop them.

I thank the Chair.

Mr. FRANKEN. Mr. President, today I vote to support S.J. Res. 41, reinforcing President Obama's policy of preventing Iran from possessing a nuclear weapon rather than containing a nuclear Iran. I support this resolution, which explicitly states that nothing in