not been released—formally or informally—to the Congress qualifies as ''working with the Congress.''

There are a number of questions that I believe must be answered about the mandate of these additional troops. How many additional troops are being planned for and what will they be doing? Will these men and women be an additional part of the U.S. contribution to IFOR? Or will they be deployed as part of a post-IFOR force of some kind? Will these new troops be under the command of NATO, or of a U.S. commander, and what rules of engagement must they abide by? Is the timing of this deployment at all related to NATO announcements last week that it was studying the anticipated security situation in Bosnia over the next few months?

Then there continue to be questions on the political-diplomatic side. The Organization for Security and Cooperation in Europe [OSCE], the international body tasked with implementing the elections, recommended the postponement of municipal elections because of security concerns, allowing only national elections to take place on September 14. These municipal elections are currently scheduled for November, but many observers feel they should be postponed until the spring of 1997. My question is what kind of U.S. troop commitment will the Administration be looking for if the elections are postponed? And when do they intend to notify the Congress of their plans?

I know that many of these questions will be answered at today's hearing before the Armed Service Committee. But I also would like to remind my colleagues here, and at the Department of Defense, that the Senate Foreign Relations Committee continues to have a significant interest in the details concerning any deployment of U.S. troops. I think it is fair to assume that if the Administration expects to have Congressional and public support, as it has said in public testimony, then it should make some effort to consult with all the relevant committees before its plans are announced in the morning newspaper.

A year ago—in October 1995—I asked whether or not the U.S. would be able to withdraw troops from IFOR in December 1996, as the administration said then, even if the mission clearly had not been successful.

I had my doubts then that the stated goal—ending the fighting and raising an infrastructure capable of supporting a durable peace—would be doable in 12 month's time. I foresaw a danger that conditions would remain so unsettled that it would then be argued that it would be folly—and waste—to withdraw on schedule.

My concerns and hesitations of 1 year ago can only be compounded by the fact that additional troops are being deployed to Bosnia—perhaps even as I speak—without the Congress having been notified in advance.●

THE REPEAL OF CONTROLS ON INDEPENDENT COUNSEL COSTS

● Mr. LEVIN. Mr. President, the appropriations bill we passed on Monday contained pleasant surprises, such as reasonable funding for education and research programs. But there have also been some troubling provisions. One was so troubling that I could not allow it to pass without some expression of my dismay. This provision, section 118, overturns one of the reforms Congress made in 1994 to independent counsel law to hold down costs.

The provision in the bill was never approved by any committee. It was never voted on by either House. It was never included in a bill that either body approved. This provision appeared for the first time in the omnibus appropriations bill on Monday and was presented to the Senate under rules that didn't permit a single amendment to the bill.

I first heard of this provision last week, when I was told that some House Republicans had added it to their wish list for the bill. Senator BILL COHEN and I, as chairman and senior Democrat respectively of the Senate subcommittee with jurisdiction over the independent counsel law, immediately expressed our joint opposition to the provision. We thought that bipartisan opposition from the authorizing committee would be enough to prevent such a last-minute circumvention of the committee system. But we were wrong. The provision somehow got included in the bill and is now law.

It is a mistake in process and substance.

In simplest terms, the issue relates to holding down the cost of independent counsel investigations. In particular, it has to do with commuting costs—whether and how long independent counsels and their staff can use taxpayer dollars to pay for transportation and living expenses when they reside in one city and agree to prosecute one or more cases in another city.

The issue arose in the context of the Iran-Contra case. In that case, the independent counsel, Lawrence Walsh, chose to continue living in his hometown of Oklahoma City, while prosecuting cases based in Washington, DC. There was no law against it, but when the bills came in for his hotel, airfare, and other living expenses, plenty of loud complaints followed. Some pointed out that any other Federal prosecutor who agreed to prosecute a case in another State would have to move there—taxpayers would not be required to pick up their hotel and transportation expenses. Then Senator Dole was in the forefront of the critics calling for reform, criticizing Mr. Walsh for ''spend[ing] most of his time in Oklahoma.'' These commuting expenses were a prominent part of calls for legislation to tighten controls and reduce the cost of independent counsel investigations.

In 1994, the Congress responded to these criticisms by enacting legislation which tightened controls over independent counsel expenses in a whole host of ways. One of the reforms we enacted was to limit commuting expenses. We revised the law to allow independent counsels and their staffs a maximum of 18 months of commuting expenses. After 18 months, independent counsels and their staffs were expected either to move to the city where the prosecutions were based or start picking up their own commuting expenses.

Section 118 of the omnibus appropriations bill effectively repeals that limit on expenses. If effectively permits independent counsels and their staffs to charge taxpayers for unlimited commuting expenses. Lawyers can live in one city, like New York or Los Angeles, prosecute cases in another city, and charge literally years of airfare, hotel meals and other living expenses to the taxpayer. That's an expensive proposition. It's why we created the limit in 1994. It's why the omnibus appropriations bill was wrong to change it. It is wrong to change it without any hearings, a consideration much less approval by an authorizing committee.

Limits on independent counsel expenses were enacted in the last Congress with bipartisan support. No case has been made for repealing these limits. Many would say that limits on expenses are needed more than ever. This issue needs to be revisited.●

FIVE CHALLENGES FOR PEACE: UNFINISHED BUSINESS IN FOREIGN POLICY

● Mrs. KASSEBAUM. Mr. President, for the past 18 years, I have been privileged to watch the march of world history from the vantage point of the U.S. Senate. The world has changed dramatically in my time here.

We live in an era of great transition from a terrible cold war order we understood to a new order we do not yet know. We are, to borrow from Dean Acheson's trenchant phrase, ''present at the *re*-creation.''

As I prepare to leave the Senate, I want to offer some parting thoughts on unfinished business in American foreign policy and five challenges we must meet in coming years.

I. INFRASTRUCTURE FOR PEACE

The principal challenge of our time is to re-engineer the structures that can sustain the peace we have won. From the institutions and alliances of the cold war, we have inherited an unprecedented infrastructure for peace.

That infrastructure rests on three pillars. Each must be strengthened.

The first pillar is the only worldwide institution focused on international peace and security—the United Nations.

We need to rebuild the consensus, both domestically and internationally, on what we want the U.N. to be and what we want it to do in the international system of the 21st century. I believe we must build this consensus among the major donor countries and powers.

For too long, the United Nations has tried to do too much for too many and, as a result, has outgrown the bounds of its legitimacy. I believe the basis for consensus is a return to the core functions that we need the United Nations to do—refugees, nuclear inspections, health, and security, for example. And it may well be time for the United Nations to get out of the development business entirely and leave that work to other institutions better suited to the task such as the World Bank and International Monetary Fund.

When we have consensus on what the United Nations should do, we then will need a dramatic restructuring of the U.N.'s institutions and bureaucracy to meet its new, narrow focus. This will be a dramatic shake-up of the United Nations that can only be driven by its most powerful member states. It will require the leadership of current heads of state and government, as well as other international figures of stature. I imagine this to be analogous to the process that led to the San Francisco Conference in 1945 where the Charter was signed.

The second pillar consists of the institutions for international economic development, reform and growth. The World Bank, the International Monetary Fund, and the new World Trade Organization have important capacities that our bilateral development programs simply do not. They can encourage and even compel the kind of fundamental changes in outdated and inefficient economic systems abroad that ultimately promote self-sufficiency. And they can set and police uniform standards for economics and trade that promote America's long-term interests in certainty and stability.

Yet, we have fallen behind sustaining our key contributions to these organizations. For example, we continue to lag behind in our contribution to the World Bank's soft-loan window, the International Development Association. As we consider trade-offs among our foreign policy budget expenditures, I believe that sustaining our contributions to these organizations should move to the top of our priority list for international affairs spending.

The third pillar is America's alliances. I continue to believe that we must find new consensus on the purpose of our principal alliance, the North Atlantic Treaty Organization. The halting and ad hoc approach that ultimately led to NATO intervention in Bosnia, is decidedly not the type of shared purpose that can sustain a close alliance over the long term. I, for one, remain skeptical that we should proceed with admitting new members to NATO before the alliance finds its new role.

At the same time, the United States must give serious thought to the structure of its alliances in the Pacific. Beyond our close alliances with Japan and South Korea, we must consider what type of expanded alliance structures can best protect peace and stability throughout the region well into the next century.

II. ARMS CONTROL AND NON-PROLIFERATION

In addition to repairing the institutions for peace, I believe we must do more to control the weapons of war. That is our second challenge.

I believe it is an indispensable element in America's long-term security strategy. We face two types of challenges in dealing with the threat posed by weapons of mass destruction.

First, we must reduce the numbers of these terrible arms that exist on the face of the Earth. This means fully implementing START I and START II, both here and in Russia. It means establishing and implementing a regime to control and destroy chemical weapons stockpiles. It means continuing to press for universal adherence to a comprehensive ban on nuclear testing. It also means that America must be willing to foot much of the bill whenever necessary—the cost of destroying weapons abroad by agreement is far less than the cost of having to destroy them by war.

Second, we must contain and secure stockpiles and prevent the spread of these weapons. Our recent efforts to retrieve unsecured nuclear material from abroad and bring them to the United States should be expanded. We should remain committed to efforts of the Nunn-Lugar program to secure stockpiles throughout the former Soviet Union. And we must always remain fully committed to strict enforcement of the nuclear Non-Proliferation Treaty.

The threat to our security from weapons of mass destruction is growing, not declining. Critics of arms control in general, or of specific arms control agreements, must always be held to answer a single difficult question: If you oppose our approach, then what would you do to diminish the urgent threat to our country? In my view, that is where critics of the Chemical Weapons Convention have fallen short, and I hope the Senate will ratify that important agreement early next year.

III. TOOLS OF DIPLOMACY

The third challenge we must meet is to maintain a diplomatic capacity strong enough to secure our many national interests abroad.

We live in an age of exceptional nuance, diversity, and subtlety in foreign policy, and we must learn patience and the limits of our influence. This is particularly apparent in Africa—a continent of special interest to me—where America has many interests that can only be defended by diplomatic means.

But our diplomatic interests are truly worldwide. In just the past 6 years, 25 new states have entered the international community. The end of the Soviet empire has left us with many more power centers to deal with and far more nuance to understand.

Yet, while the military had its Bottom-Up Review, and the intelligence community has undergone comprehensive review of its missions and needs since the cold war's end, we have not undertaken such an authoritative review of our diplomatic interests and needs.

So we stumble along with no objective to guide our way, our debates on diplomacy—to the extent we have any—driven largely by budget factors and the vagaries of domestic politics rather than by any sober assessment of what diplomatic tools and structures we need to secure our national interests.

I believe our diplomatic spending should be driven by our interests, and I would urge a Bottom-Up Review of our diplomatic needs.

At the same time, I have come to fear that in recent years, the quality of the U.S. foreign service has slowly deteriorated. We have too often failed to attract and keep top-quality officers, rewarded mediocrity, and allowed ambassadors to be excluded from the policymaking process. We have some tremendously capable foreign service officers, but unfortunately we also have ample room for improvement. I believe comprehensive foreign service reform is long overdue.

IV. NATIONAL ENERGY POLICY

Our fourth foreign policy challenge must be addressed here at home. The time has come for America to devise and implement an energy policy that will reduce our reliance on foreign oil.

We now rely on foreign sources for more than half our oil—significantly more than during the energy crisis of the 1970's. From Nigeria to Central Asia, this dependence skews our foreign policy priorities—and, with many of the world's new oil fields in China and Russia, we can ill afford that pattern to be repeated.

The Middle East is the prime example. Our dependence has led, for example, to American commitments in that region that far exceed what we would undertake but for the 15 million barrels of oil that leave the Persian Gulf each day.

During my time in the Senate, we have sent Marines to Beirut, escorted Kuwaiti tankers through the Straits of Hormuz, fought a major land war in the region, and subsequently redeployed troops at least twice. We also have established an ever-expending web of formal and informal security commitments that may ultimately exceed our capacity to uphold.

And our commitments in that oil-rich region continue to grow. Before the 1991 gulf war, we had only a few thousand troops in the region and no institutional presence. Today, we have nearly 20,000 troops in the area more or less permanently, including about 6,000 ground troops and a carrier task force. We are expanding military facilities in Saudi Arabia, Bahrain, Qatar, and the Emirates, and we have expanded our presence in Turkey. We are spending some $40 billion each year to support our military operations in the region.

The Middle East is an important region in its own right. But no honest observers could believe that our tremendous commitments there would exist without the region's oil riches. The risks we have undertaken because of oil are large indeed.

The answer to this difficult problem is not just drilling for more oil here at home—for, at best, that can only delay the inevitable. The answer is a significant and sustained effort to integrate alternative energy sources into the mainstream of our national economy. The time has come for America to promote development of conservation and alternative energy sources as a matter of national security.

V. TRANS-NATIONAL ISSUES

The final foreign policy challenge is to come to grips with trans-national threats, many of which have no human form. New diseases and large-scale environmental degradation may have origins far from our shores, but their effects touch the lives of Americans. Similarly, international criminal organizations, including drug traffickers, can assault our citizens and our security from locations outside the United States.

Combating these threats will require that we work on many levels. We must work together with friends and allies abroad. We must encourage and help countries that host these threats to combat them, which means we must come to better understand the important relationship between overseas development and our own national interests. And we must better integrate the work of different agencies of our own Government so that America speaks with a single voice and acts decisively to protect our interests.

CONCLUSION

Mr. President, these are five daunting challenges. They come at a time when the role of world affairs in American public and political discourse has diminished substantially.

All of us are tempted to focus less on foreign policy or to try to view it through a domestic lens. But I believe that would be a mistake.

The public may not be demanding a renewed focus on foreign policy, but our national interest is. These challenges to America's future demand serious attention from serious minds.

I am optimistic we will meet them.●

BOUNDARY WATERS AND VOYAGEURS DISPUTES SHOULD BE RESOLVED THROUGH MEDIATION IN MINNESOTA

Mr. WELLSTONE. Mr. President, as we bring this Congress to a close, it is clear now that there will be no legislative action this year on changes to the Boundary Waters Canoe Area Wilderness or Voyageurs National Park, even on a limited legislative rider which would allow trucks back onto certain portages within the BWCAW. A Federal appeals court, overturning a series of decisions by the Forest Service and by a lower Federal court, ejected trucks from the portages several years ago. This rider was designed to again allow anglers and others to portage boats by truck from one lake to another in the BWCA. Now, they are required to use alternative means to transport their boats across these portages.

As I have said, I would be willing to consider changes to the current status of the portages, as long as it is part of an overall, agreed-upon resolution of the many BWCAW issues on the table in the Federal mediation process underway in Minnesota. I am hopeful that such an agreement can be reached soon.

Mr. President, let me be clear. On many of the issues which have arisen in the BWCA and Voyageurs disputes, I believe the people of northeastern Minnesota have legitimate grievances, and that they should be addressed as promptly and effectively as possible. I have worked over the years to make sure that when other land and lake use issues in the region—including snowmobile use, lake levels, trails, and other matters—have arisen, they are addressed as swiftly as possible.

For years, many of the people of northern Minnesota have believed that the Park Service and Forest Service have not been listening to them. Too many feel that they have offered constructive solutions to disputes and problems which have arisen, and yet often those solutions have been ignored, or rejected, by those who manage the wilderness and the park. That's why I think it's important that some means of expanding meaningful citizen input, which must be taken into account and then responded to by the Park Service and the Forest Service, is important. Months ago, I indicated that I would support a new mechanism to ensure that kind of regular, concrete citizen input, and I hope that the negotiators will consider including a proposal on this issue in their package of recommendations to Congress.

There has been no action on any of the bills introduced this year on BWCAW and Voyaguers because they did not reflect a policy consensus in our own State, much less in the Nation as a whole. I am hopeful that in the coming months, and certainly by early next year, there will be such a consensus reached in our State, through the mediation process which I initiated, convened by the Federal Mediation and Conciliation Service, which has been making real progress in recent months.

That mediation process is broad-based, open and public, and includes people representing all those competing interests which have made these disputes so difficult to resolve over the years. One of the reasons, I think, that they have been so tough to resolve is that too often those involved have chosen to try to fight it out, rather than to talk it out over a table in Minnesota, in a search for common ground. Some chose to try to fight it out here in Washington. Some chose to fight it out in the courts. I chose to initiate a process which would allow Minnesotans to talk it out, and then bring their recommendations to the Minnesota congressional delegation for ratification.

I'm proud of that choice. I think it was the responsible thing to do, the right thing to do. I think most Minnesotans agree with that, and that the recent successes in mediation are bearing that out. I know that some people in northern Minnesota disagree—some fiercely—and are concerned that their interests won't be protected in the mediation process. I want to make them a guarantee today: your interests and views are represented in mediation, and they will be carefully considered by me here in the U.S. Senate. I will press hard to make sure that every voice in my State, including those whom I respect and have worked with for so many years in northern Minnesota, are heard in this process. The Federal Mediation and Conciliation Service prepared carefully for the process for months before it actually started, interviewing hundreds of Minnesotans to make sure that all interests were represented at the table, and to guarantee an open, broadly participatory process.

I am very grateful to the Mediation Service, and to all those Minnesotans who have volunteered their time and talents to this mediation effort. I know it is not always easy to put yourself on the hotseat with friends, neighbors, and townspeople who might disagree with you, and to try to work out mutually agreeable solutions to major disputes such as those which have brewed over the BWCAW and VNP for many years. This kind of willingness to work at a local level to resolve disputes is an admirable act of responsible citizenship, an act of faith in the ability of neighbors to work together, and an act of hope that future generations will appreciate the legacy of a lasting solution that protects these important resources. I will be talking at greater length about these people shortly.

The BWCA mediation group met last Thursday and Friday, and will be meeting again soon to address, among other matters, the portages. They have already agreed on several recommendations to be made to the congressional delegation, as part of a larger package of proposed changes to be ratified by them later. I am hopeful they will make further progress on the portages, and other issues, in the coming weeks.

I have a few articles from last week's newspapers in Minnesota that I will ask to have printed in the RECORD following my statement, along with letters and other information on the dispute and on the mediation process which demonstrate the broad support mediation has garnered within our State as the most reasonable, sensible way to resolve these disputes. These documents should be able to give people looking back on this dispute a better understanding of the history of this