

Captain Berthold is the son of retired USAR, Brigadier General Julius L. Berthold. I am pleased to say he attended the University of Louisville as an NROTC Midshipman and graduated in 1978. Upon graduation he was commissioned as an Ensign in the U.S. Navy, and shortly after completing Surface Warfare Officer School he reported to his first assignment on board the USS O'Bannon, DD 987, serving first as Auxiliary Officer and then as the Main Propulsion Assistant.

Captain Berthold began his extensive study in aircraft carrier design in 1982, when he enrolled in the Naval Postgraduate School of Monterey, CA, and earned an MS degree in Mechanical Engineering. He was selected for the Naval Nuclear Power Training Program, which led to training assignments at the Naval Nuclear Power School in Orlando, FL, and the Nuclear Prototype Propulsion Plant Training Unit in Ballston Spa, NY. His assignments took him from the decks of the USS *Theodore Roosevelt*, CVN 71, where he served as the Electrical Officer, to the shores of Virginia where, in 1989, he was assigned as the Aircraft Carrier New Construction Principle Assistant Project Officer on the staff of the Supervisor of Shipbuilding at Newport News. Here, he assisted in the planning and execution of the construction, test & trials, and delivery of the USS *George Washington*, CVN 73. On later tours, he oversaw the delivery of both the USS *Harry S Truman*, CVN 75, and the USS *Ronald Reagan*, CVN 76.

Most recently, Captain Berthold served as Program Manager for the Navy's future aircraft carrier programs at the Navy's Program Executive Office for Aircraft Carriers in Newport News, VA. He has played a key role in developing new and innovative acquisition strategies for the design and construction of the final Nimitz Class Aircraft Carrier, USS *George H W Bush*, CVN 77, and the new CVN 21 class. This new class of aircraft carrier design sets a new standard for war-fighting capability and will influence the readiness of our military throughout the 21st century.

Captain Berthold has earned a great number of personal decorations, including the Meritorious Service Medal with three Gold Stars, the Navy Commendation Medal with one Gold Star, and the Navy Achievement Medal. I am proud to represent such a fine Kentuckian in the U.S. Senate, and I thank him for his dedication to the people of the United States. His list of accomplishments is great, yet being the son of retired USAR, Brigadier General Bud Berthold, whom I consider to be a close personal friend and wonderful role model, certainly ranks high on that list. While the Navy will lose a loyal seaman, his wife, Deborah Lynn, and two children, Bryant and Bridgette, will welcome him home with open arms. I wish Captain Dudley B. Berthold the traditional naval wish of "Fair winds and Following seas" as his

military career comes to an end. And I congratulate him on his retirement.

#### NOMINATION OF CAROLYN KUHL

Mr. LEAHY. Mr. President, the Republican leadership's actions this week were an attempt to create the impression that Senate Democrats are stalling judicial nominations. Rather than work with us to confirm the five consensus judicial nominations that have been before the Senate and available for action all week, the Republican leadership has chosen to schedule cloture vote after cloture vote on the most divisive, controversial and extreme of this President's judicial nominees.

Senators have spoken to the contentious nominations Republicans have tried to force through the Senate confirmation process this week. This is a striking difference from the days in which more than 60 of President Clinton's judicial nominees were stalled and defeated by anonymous holds and secret objections. Just as I made Judiciary Committee blue slips and the process by which the committee consults with home-state Senators public when I chaired the committee in 2001, Democratic Senators have not opposed nominees without coming before the Senate and making known their concerns.

During the 17 months a Democratic Senate majority reviewed this President's judicial nominees we were able to confirm 100 judges. This year, we have cooperated in the confirmation of 45 additional judges. The total confirmations already number 145. We have worked in good faith to reduce judicial vacancies to the lowest level in the last 13 years and to increase the full-time judge on the Federal bench across the country to the highest number in our history. We continue to work in good faith and the Democratic Senators on the Judiciary Committee have joined in reporting at least a dozen additional judicial nominations favorably to the Senate. Working together the Republican and Democratic leadership will be able to schedule debate and votes on those judges.

There are other nominees I frankly do not support and that large numbers of Senators do not support. And yet, as chairman, I did something our Republican predecessor never did, I proceeded on judicial nominations I opposed. Some were confirmed; a few have been so extreme and controversial that they have not been confirmed. Ours is a good record and a fair record.

It is a record that shows we have sought, as Senator BAUCUS explained recently, to protect the essential independence of the judiciary, to support fair-minded impartial judges, and to protect the essential rights of all Americans.

This week we have witnessed a number of unsuccessful cloture petitions. When the Republicans filed these petitions they knew they would be unsuccess-

ful. The Republican leadership was nonetheless insistent on diverting hours from debate on the Energy bill in order to create partisan talking points. This is another example of how this administration and its aides here in the Senate are seeking to use judicial nominations for partisan purposes. That is most unfortunate.

Republican partisans have changed the practices and rules of the Senate that have helped over time to encourage the White House to work with home-State Senators and to consult with both sides of the aisle in the Senate. When judicial nominations were being made by a Democratic President, the objection of a single home-State Senator would have prevented any action on a judicial nomination. As the chairman of the Judiciary Committee acknowledged in 1999, under the practices of the committee, no nomination opposed by both home-State Senators would proceed. Yet now that the President is a Republican and the home-State Senators are Democrats, the rules are changed and traditional practices are conveniently abandoned.

The big picture is that we have the most confrontational President in recent history. His administration is committed to a plan to pack the Federal courts with nominees of a narrow judicial ideology. Compounding the situation, the Republican leadership in the Senate has decided to assist the administration in this effort at all costs. Longstanding Senate practices and rules have been broken. Home-State Senators are being ignored or overridden if they are Democratic Senators, committee rules are being breached, committee practices of the last 25 years are being ignored in a rush to steamroll the Senate.

Sadly, the most partisans have made detestable arguments and injected religion into the debate. Regrettably, the Senate under its current leadership has abandoned its constitutional role as a check on the Executive.

So we have the most aggressive Administration in recent history and its efforts to pack the courts are being facilitated by efforts of the Republican Senate majority and its willingness to remove all the processes and practices that had been available to the Senate to provide a check and balance. As they remove the mechanisms that had traditionally provided incentives for the Executive to consult with the Senate, the administration has refused to moderate its actions. Instead, Republican partisans have ratcheted up the points of contention and conflict. Rather than work in a bipartisan way to unite the country and maintain a balanced and independent federal judiciary, Republicans insist on the expedited confirmation of every nomination no matter how extreme. With all of the other, traditional screening mechanisms removed, only one Senate procedure is left—the filibuster. All their talk about supposed obstructionism is just that, partisan talking

points. The factors that have led to more filibusters than usual this week have been the actions of the administration and Senate Republicans.

These matters need not be contentious. The process starts with the President. If this administration would work with us, we could avoid these situations. We have and will continue to work with the administration. We would like to be more helpful in the President's identification of nominees and advising him on the selection of consensus nominees so that we can join together in adding those confirmations to the 145 so far achieved.

#### GEORGE J. MITCHELL SCHOLARSHIP PROGRAM AND U.S.-IRISH RELATIONS

Mr. KENNEDY. Mr. President, yesterday's New York Times carried a very interesting article about a new scholarship program created three years ago to encourage young Americans to pursue graduate study in Ireland and learn more about that country and its long-standing ties of history and heritage to the United States.

The program is called the George J. Mitchell Scholarship Program. The name honors our former Senate Majority Leader George Mitchell, who is especially admired in Ireland and among Irish Americans and even in Great Britain for his leading role in recent years in advancing the peace process in Northern Ireland as Special Advisor to President Clinton on Ireland.

The Scholarships were created by the U.S.-Ireland Alliance, a non-partisan, non-profit organization founded in 1998 by my former foreign policy adviser, Trina Vargo, who is well known to many of us in Congress for her outstanding work in Irish issues. As many of our colleagues in the Senate and the House know, the Alliance has worked closely with both Republicans and Democrats to strengthen the ties between the United States and Ireland.

The twelve Mitchell Scholars selected each year are outstanding young American students who are gifted academically, and who show promise for future leadership in the public or private sectors in maintaining close ties between the United States and Ireland. I commend Ms. Vargo and the U.S.-Ireland Alliance for the prestige and popularity the scholarships have earned so quickly, and I ask unanimous consent that the New York Times article may be printed in the RECORD.

[From the New York Times, July 30, 2003]

#### MITCHELL SCHOLARS DELVE INTO IRISH CULTURE, TOO

(By Brian Lavery)

DUBLIN, July 29.—When Emily Mark arrived in Dublin to study art history at Trinity College, she postponed worrying about classes until she found a traditional musician to teach her the Irish style of playing five-string claw-hammer banjo.

This month, Ms. Mark completed a Mitchell Scholarship, a program that often sounds more like a cultural immersion course than

the pursuit of a master's degree. Named in honor of former Senator George J. Mitchell for his role in the Northern Irish peace process, the scholarship's explicit objective is to instill an appreciation for Ireland in a generation of up-and-coming Americans.

To that end, Irish-American applicants have no advantage in the competition for the 12 places, said the program's founder, Trina Vargo, and the Mitchells are financed by groups that may stand to benefit from the warm feelings of Americans. In 1998, the Irish government gave more than \$4 million for an initial endowment, while sponsors include the British government and some of the largest corporations in Ireland. (Nine major Irish universities provide room and board and waive tuition for Mitchell recipients.)

Those donations provide for a \$12,000 stipend and trans-Atlantic airfare.

Mitchell recipients understand that the foundation behind the program, the U.S.-Ireland Alliance, which is based in Washington, wants them to become good-will ambassadors for Ireland. Rather than balk at the responsibility, they say that emotional and intellectual links are exactly what they expect to gain from their year here.

"I didn't feel pressure that I ultimately need to do some great work for Ireland," said Jeannie Huh, a West Point graduate who studied public health at Trinity College. "But I definitely do feel that over the course of the year I have built a spot in my heart for the country and the people. I think that's just inevitable."

Most Mitchell scholars try to blend into Irish society by complementing their studies with internships, part-time jobs and community work. In the last few years, three Mitchell recipients withdrew from the running for Rhodes Scholarships, and that multidisciplinary approach is one reason.

"It was more than just an academic program; it has that cultural element," said Georgia Miller Mjartan, who was a Rhodes semifinalist from Arkansas when she won a Mitchell Scholarship. She said that she realized at her Mitchell interview that she would accept the scholarship if it was offered.

"I knew that, as far as prestige, it would be good for me to go through with the Rhodes process, even if I didn't take it," she said. But Ms. Mjartan, who is 23 and lived in Carrickfergus, Northern Ireland, over the last year, withdrew her application after learning that her place, if she won, would not be awarded to an alternate candidate if she declined the scholarship. "That wouldn't be right, because I would be taking it away from someone else," she said.

The application process is intended to be friendly, with one short essay and interviews that focus on identity and personality instead of academic detail, Ms. Vargo said. Those who are accepted are encouraged to wait until they hear from other scholarship programs before deciding which to choose.

"You want them to have a reason to be here, and a really good understanding of why they're here," Ms. Vargo said.

Ms. Vargo, a former foreign policy adviser to Senator Edward M. Kennedy, knows Irish business and political circles well, and Mitchell scholars often use her network of connections. Last year, she introduced Mark Tosso to the top official in the prime minister's office, who found him a job conducting a review of communications systems for employees throughout the Irish government. "They had this project which was puttering along, and they needed someone to take charge of it," Mr. Tosso said.

In the same way, Ms. Mark, the banjo player, met a Dublin lawyer who hired her to help set up a new fund-raising arm for Amnesty International. "Everyone just bowls

themselves over to help you," she said. "As soon as you express an interest in something, the opportunity is there."

The scholars also improvised when they found Irish culture less familiar with the idea of internships or entrepreneurial volunteer work. With her professor at Trinity College, Ms. Huh approach a charity based in Dublin and ended up in Bangladesh for five weeks, doing research on malnutrition. Mariyam Cementwala, from Bakerfield, Calif., organized a conference on human rights for 120 people at the National University of Ireland at Galway.

With an allowance from an Irish travel company, the latest group of Mitchell scholars went on impromptu road trips around the country, visiting one another at their universities almost once a month, and some traveled together to Scotland. Also through Ms. Vargo, they went on a hiking trip in the Wicklow Mountains guided by a Dublin businessman, and they celebrated Thanksgiving together at a lawyer's Dublin home.

To use their own term, they bonded. They share an easy rapport—Ms. Mark called the group "the world's perfect dinner party"—whether milling about at the program's closing ceremonies with political leaders like Senator Mitchell and Sinn Fein's president, Gerry Adams, or holding up the bar at the Europa Hotel.

The program's sponsors seem to feel that even that bar tab is money well spent. Gerry McCrory, 40, heads a venture capital fund in Dublin called Cross Atlantic Capital Partners that gives about \$30,000 a year to the Mitchell program. He said he looked forward to when the Mitchell Scholars would positively influence the relationship between the United States and Ireland.

"It's going to be at least another 20 or 30 years until they're in a position to make those decisions," he said, "but I think it's the right thing to do. It's a long-term investment."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

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