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(1) the Federal contractor has entered into a consent order with the Secretary with regard to a pattern or practice of violations of section 3 and has paid to any aggrieved workers all wages due them, to the satisfaction of the Secretary;

(2) the Secretary determines, after consultation with the affected Government entity, that cancellation or debarment under subsection (a) would not be in the best interests of the Nation or of such Government entity;

(c) JUDICIAL REVIEW.—Any Federal contractor aggrieved by a determination of the Secretary under subsection (a) may seek review of such determination in an appropriate court.

SEC. 5. EMERGENCIES.

The President may suspend the provisions of this Act in times of emergency.

SEC. 6. PRIVATE RIGHT OF ACTION.

(a) ACTION.—A worker aggrieved by a violation of section 3 may, in a civil action, recover appropriate relief. A civil action under this section shall be filed not later than 3 years from the date on which an administrative action under section 3 is completed, if an employer subject to section 3 has paid or reinstated the worker as a result of an administrative action under section 4.

(b) RELIEF.—In this section, the term "appropriate relief" means—

(1) injunction of a violation of section 3;

(2) actual damages or, if the court finds that the employer willfully violated section 3, treble damages;

(3) reasonable attorney fees and the costs of the action; and

(4) any other relief the court deems appropriate in the circumstances of the case.

SEC. 7. RULEMAKING.
The Secretary shall make rules to carry out this Act, which shall take effect not later than 120 days after the date of enactment of this Act.

SEC. 8. DEFINITIONS.

In this Act:

(1) The term "employer" means a person who has economic power to set a worker's terms and conditions of employment, regardless of the formality of an employment relationship.

(2) The term "fringe benefits" means—

(A) medical or hospital care or contributions to a health insurance plan;

(B) contributions to a retirement plan;

(C) life insurance;

(D) disability insurance; and

(E) vacation and holiday pay.

(3) The term "Secretary" means the Secretary of Labor.

TRIBUTE TO IRVING M. ROSENBAUM ON HIS 80TH BIRTHDAY
HON. TOM LANTOS OF CALIFORNIA IN THE HOUSE OF REPRESENTATIVES
Wednesday, April 4, 2001

Mr. LANTOS. Mr. Speaker, I invite my colleagues to join me today in paying tribute to a great man who will shortly celebrate his 80th birthday—Irving M. Rosenbaum. In addition to the commendable accomplishment of attaining the age of 80, Mr. Rosenbaum, has provided extraordinary commitment and leadership on behalf of the Open University of Israel.

The Open University of Israel, modeled after the Open University in Great Britain, welcomed its first students in 1976. With a current enrollment of approximately 29,000 students, the Open University of Israel has a flexible teaching style that provides many working and older students the opportunity to receive a college education. Students hail from all over Israel and from virtually every walk of life. Utilizing the Internet, satellites, cable TV and other methods, the University is able to provide long distance learning to almost any student who desires it.

Mr. Speaker, Irving Rosenbaum has played an active role in the University's history through the American Friends of The Open University of Israel. During the past thirteen years, under his astute leadership, the American Friends of The Open University of Israel has been transformed from a small group to a large organization which contributes significant funding annually to the University.

Irving was born in Dresden, Germany, and, with his family, he fled Nazi Germany and came to the United States in 1938. Here, he joined S.E. Nichols and Co., a variety store chain. His service at the store was interrupted when he served in Europe with the U.S. Army. After the war, he remained in Germany where he served as a member of the Allied Control Commission for Germany. When he returned to the United States, he received a Masters degree in Economics from the New School for Social Research and later earned a Masters degree in economics.

Mr. Speaker, Irving Rosenbaum's commitment to Jewish and Israeli causes is exceptional. In addition to his leadership of the American Friends of the Open University of Israel, he is a member of the Executive Committee of the American Israel Public Affairs Committee, a member of the Board of Directors of the United Jewish Appeal Federation of New York, a member of the Executive Committee of the American Friends of the Israel Philharmonic, and a member of the Board of the American Friends of Livnot U'Lehibanot.

Mr. Speaker, I invite my colleagues in the Congress to join me in recognizing Irving Rosenbaum's commitment and passion for education and public affairs.

GUAM'S EDUCATORS AND STUDENTS MOURN THE PASSING OF DR. MANUEL BARTONICO
HON. ROBERT A. UNDERWOOD OF GUAM IN THE HOUSE OF REPRESENTATIVES
Wednesday, April 4, 2001

Mr. UNDERWOOD. Mr. Speaker, I rise to pay tribute to one of Guam's finest educators, Dr. Manuel Bartonico. He was a highly professional administrator in Guam's public schools who was able to generate a sense of community from students and a commitment to excellence from teachers wherever he went. He was an accomplished teacher, a well-respected principal, a highly regarded member of our island community and a proud husband and father.

Mr. Speaker, Dr. Bartonico passed away as a relatively young man. He passed away on March 30, 2001. Dr. Bartonico was a young man. He passed away on March 30, 2001. In participating in a "fun run" event for Agueda Johnston Middle School. I visited Dr. Bartonico on March 23 at Agueda Johnston for a flag presentation. I complimented him for his leadership in what is clearly an overcrowded need of substantial repair. The students and teachers clearly had a high regard for him and I could see that he was a role model for his fellow educators. He was my student many years ago when I was a professor at the University of Guam. He was an excellent student. More importantly, I noticed then that he would be an exemplary leader in our island's schools.

Dr. Bartonico leaves behind Rowena Santos Bartonico, his wife, and two daughters, Valerie and Gabriella. I extend to them and his mother, Mrs. Valeriana Bartonico, my deepest condolences in this trying time. We will all miss him.

[From the Guam Pacific Daily News, Apr. 5, 2001]

WE'LL MISS DR. B.'S COMPETENCE, COMPASSION, CONCERN FOR EDUCATION

(By Aline Yamashita)

He came across as quiet and reserved. If you didn't work with him, you wouldn't know otherwise.

If you worked with Manny Bartonico, you were thankful he was on your team. When a point needed to be made, he argued and he argued well. When a task needed to be completed, it was done. He was focused and competent. He had a sense of humor that would seem to illuminate from nowhere, always at the right time.

He used to ride a bicycle around Southern High School to get from one point to another. "It's quicker, Aline," he explained to me. At one commencement ceremony, he sang to his graduating seniors.

When he was assigned as the first principal of Southern High School, he knew it was going to be a tough assignment. He had two school communities that did not want to become one. He had a facility that was not completed. He lacked instructional supplies. But the orders to make it work were given. And, considering all of the odds, Manny succeeded.

He had the ability to identify educational leaders. Agnes Pitlik was one such person. Manny recruited her as an assistant principal while they were at Piti Middle School.

"While he worked us hard, he was incredibly compassionate. He had such good people
skills,” she said. Agnes described how she taught her son the need to delegate, to trust others to help get the job done. “His evaluative feedback was useful and meaningful. He made a real difference in my professional growth.”

Debra Santos, a teacher at Aguada John- ston Middle School, described Manny as a really good person. “He would hand us expected us to work hard and he left us work. He empowered us to get the job done. He respected us and trusted us to know what we were doing.”

Tom Quintanilla’s best man, at his wedding, described Manny as a caring dad. As I listened to Tom, I remembered the conversations Manny and I had about his growing daughters. Typical adolescent issues faced them. I would listen and smile. He was a dad who was very concerned about what was going on and how to make sure it was going the right direction.

Manny was a school leader at F.B. Leon Guerrero Middle School, Pitt Middle School, Southern High, Aguada Johnston Middle School, John F. Kennedy Is- lander. He was a certified science teacher. He had a M.Ed. in administration supervision. He earned a doctorate from the University of Oregon.


His opinions were meaningful because he had been a teacher, an assistant principal, and a principal in this system. He knew what he was talking about. And he cared.

Manny had a vision for public education. During the field testing of the regional sys- tem, he served as a regional leader. He knew the sense of working with schools that ar- ticulated into one another. He knew the impor- tance of cohesiveness and connectivity. He knew the significance of stability.

Manny’s death symbolizes the fact that time does not sit still. Manny wanted to see the potential of our system. He was frustrat- ed with the changing mandates and re- sulting consequences.

To those of us who had the honor of work- ing with Manuel Bartonico, we will always appreciate his focus, discipline, competence, humor and passion. We will miss him leading a school. We will miss the grin that grew into a big smile when he shook his head from side to side.

Manny, thank you for your spirit and for your work. As you keep an eye on us, know that we will continue your work. We will try to match your dedication, commitment, drive and care for the kids.

Rowena, Valerie and Gabby—thank you for sharing your dad with us. While he gave up valuable time with you for other children and families, he held you in the highest re- gard. He cared deeply about you. Dr. B., thank you. We miss you.

IN HONOR OF SHELLY LIVINGSTON

HON. BENJAMIN A. GILMAN

ON THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. GILMAN. Mr. Speaker, I rise to recog- nize the many years of serv- ice of a valuable staff member of our Interna- tional Relations Committee, Shelly Living- ston. Shelly’s last day in the office was Friday, March 23, 2001.

Shelly has served our Committee since 1974. During that time, she has served six chairmen, including “Doc” Morgan, Clem Za- blocki, and design of the network saves the taxpayers of Arizona substantial funds while providing fast and secure bandwidth to remote rural areas. This network provides online access to students while protecting them from online preda- tors and unworthy sites by providing “best efforts” filtering software.

PPEP’s educational opportunities are made available through a school system of 13 charter schools. To ensure academic excellence, PPEP has taken a leadership role in creating the Arizona Performance Based Accreditation Program for charter schools. The Arizona Performance Based Accreditation Program has been recognized by the State School Board Association, the Arizona Board of Regents, and the National Office for Charter Schools. With its peer-review system for school ac- countability, is now a national model for char- ter school accreditation. In 1998 PPEP was also instrumental in creating the Arizona Re- gional Resource Center which provides tech- nical support and online consultation for char- ter schools. These developments have strengthened charter schools as an educa- tional delivery system and have improved the credibility of charter schools. Subse- quently, the United States Department of Edu- cation selected PPEP to operate the High School Equivalency Program (HEP) for farm- workers through a charter high school. This is the first HEP in the nation funded through a charter school.

Furthermore, PPEP has taken learning be- yond the traditional classroom by using emerging technologies to create the migrant farmworker Lap Top Project, “a virtual high school” with self-paced curriculums that have provided the opportunity for some 6,000 rural, at-risk students to obtain technology-based skills since 1996.

I salute this vision to carry rural people for- ward into the technical diversity of the 21st Century.

IN HONOR OF SHELLY LIVINGSTON

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. PASTOR. Mr. Speaker, I rise today to pay tribute to Portable Practical Educational Preparation, Inc. (PPEP), and its founder, Dr. John David Arnold, for bridging the digital di- vide in two ways: 1) by bringing information technologies into under-served rural farm- worker and Hispanic communities, and 2) by providing the educational opportunity for at- risk and farmworker students to obtain tech- nology-based skills through PPEP’s 13 charter high schools strategically placed in rural areas and inner cities. Through these efforts, PPEP is not only removing barriers of educational and economic inequity by successfully bring- ing the super information highway infrastruc- ture to rural communities, but also encour- aging the use of that highway through edu- cation and training.

I applaud PPEP for its dedication to bringing information technologies to rural and small schools in Arizona with the creation of Arizona Educational Network (AzEdNet). This secure network provides an economical link between public and charter school sites and the Ari- zona Department of Education for the state- required transfer of student data. The unique design of this network saves the taxpayers of Arizona substantial funds while providing fast and secure bandwidth to remote rural areas. This network provides online access to stu- dents while protecting them from online preda- tors and unworthy sites by providing “best efforts” filtering software.

PPEP’s educational opportunities are made available through a school system of 13 charter schools. To ensure academic excellence, PPEP has taken a leadership role in creating the Arizona Performance Based Accreditation Program for charter schools. The Arizona Performance Based Accreditation Program has been recognized by the State School Board Association, the Arizona Board of Regents, and the National Office for Charter Schools. With its peer-review system for school ac- countability, is now a national model for char- ter school accreditation. In 1998 PPEP was also instrumental in creating the Arizona Re- gional Resource Center which provides tech- nical support and online consultation for char- ter schools. These developments have strengthened charter schools as an educa- tional delivery system and have improved the credibility of charter schools. Subse- quently, the United States Department of Edu- cation selected PPEP to operate the High School Equivalency Program (HEP) for farm- workers through a charter high school. This is the first HEP in the nation funded through a charter school.

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I salute this vision to carry rural people for- ward into the technical diversity of the 21st Century.

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. LANTOS. Mr. Speaker, I invite my col- leagues to join me today in paying tribute to one of the great heroes of World War II— Preben Munch Nielsen, a Dane who has re- ceived little recognition for his heroism. In many ways, he is a symbol of the gallantry and heroism of the Danish people during the tragedy of that war.

Mr. Speaker, as the only survivor of the Hol- ocaust ever elected to the Congress, I want to pay special tribute to Mr. Munch Nielsen and also to the courage and strong commitment to basic human decency of the Danish people, who saved virtually the entire Jewish commu- nity of Denmark from the horrifying fate that befell six million Jews in the rest of Nazi-occupied Europe. The Danish people took sponta- neous action—at great risk to their own lives—