(1) the Federal contractor has entered into a consent agreement with the Secretary in accordance with subparagraph (a) of this section; or

(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 may, in a civil action, recover three times actual damages; and

(1) the Federal contractor has entered into a consent agreement with the Secretary in accordance with subparagraph (a) of this section; or

(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.

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

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 benefit" 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, holiday, and sick leave entitlements.

(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

April 5, 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 embodies 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.

Mr. Speaker, Irving Rosenbaum has been an accomplished teacher, a well-regarded member of our community and a leader in the University's history. He has provided an environment in which good teachers became better and good students became the best. He received a doctorate in education from the University of Oregon and was regularly consulted by his colleagues and policy makers for his insights.

I am requesting permission to insert into the RECORD a column by Aline Yamashita printed in the April 5, 2001 edition of the Pacific Daily News. Dr. Yamashita is a leader in Guam's educational community who understands well the contributions of Dr. B.

Dr. Bartonico passed away as a relatively young man. He passed away on March 30, 2001 at the age of 43 years old. He was 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 school system. In need of substantial repair.

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, April 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 Piltik 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..."