

You see, he was a historian. He was not only a successful broker. Tom was one that loved to read. I can imagine every night what Tom must have gone through just to be moved from a wheelchair to a bed. What would be so tiring for most of us was an everyday occurrence for Tom Rogers. Just the thought that with his mouth and with a wand he could operate a computer and run the finances of many people in the community and across this country who he represented is just an amazing feat in itself.

I remember the story that, when Tom first went to the hospital, after polio, went into the ward where the iron lungs were and where many were stricken with polio, the first thing his mother said was that she was not going to let Tom Rogers die. Tom was also committed that he was not going to let polio change his life significantly, that he would be successful, he would win in the end. Tom was known for saying his greatest success was helping others see how lucky we all are, not just him.

In this day and age all too often we hurry through life without stopping to realize the gifts that we have all been given. Well, Tom Rogers knew the gift he had been given and more. He knew how to use these gifts to enjoy his life and to help others see their importance. Though obstacles were in his way, Tom gained more knowledge and love of life than most of us dream about.

Tom was successful in many ways. But he overcame every adversity, everything thrown at him, to truly teach so many so much.

Tom Rogers had the ability to take a stranger and treat him like family. He had the ability to take family and make them think that they were the most special thing in the world. Tom Rogers gave us a vision to take risks and to go out on a limb, encouraged us to test our outer limits. By following Tom's way of life, we learned more about ourselves and we gained more than we ever thought possible. There are few people who are able to accomplish so much while still having an intense love of life. I can truly say that Thomas Wallace Rogers saw life in a hopeful light with sincere friends and true leaders.

Mr. Speaker, it is an honor for me to be here as a tribute to Thomas Wallace Will Rogers, a man that lived life to its fullest with every obstacle in his way and shared so much with so many across this country.

IN HONOR OF TOM ROGERS OF MOLINE, IL

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Under a previous order of the House, the gentleman from Iowa [Mr. LEACH] is recognized for 5 minutes.

Mr. LEACH. Mr. Speaker, I want to thank my good friends, the gentleman from North Carolina [Mr. BURR] and the gentleman from Arkansas [Mr.

DICKEY], for their wonderful accolades and the minority leader for agreeing to let the three of us without request speak in order.

Mr. Speaker, if ever an individual personified the ideal that the human condition can overcome any handicap, it was Tom Rogers. Tom was everybody's all-American boy. An active athlete and budding scholar, Tom left Moline in 1952 to attend Cornell University. At the end of his freshman year at the age of 19, just before the widespread introduction of the Salk vaccine, he was struck so severely with polio that he was paralyzed from the neck down. He came to be able to breathe only through the laborious technique of swallowing air. In a circumstance which would have led most of us to give up, to turn inward in bitterness, to be prone to shriveling up and spiritually dying, Tom took the opposite course. He determined that even though he could not move a finger, he would widen his horizons and become a functioning member of society.

Tom studied to become a stock analyst and broker and soon had as dedicated a following as anyone in his profession in the country. Using methods and machines he designed, he came to be able to read stacks of material and spreadsheets placed on a bookstand or reflected in magnification off the ceiling.

Tom's two principal avocations were bridge and travel. One of the most competitive bridge players I have ever known, he would call on his unsorted cards to be played from a specially made wooden tray placed on the table in front of his wheelchair. My mother, who was a life master many times over, used to tell me Tom was her favorite partner. Now and again during high school summers, I was privileged to be able to play against the two of them.

To watch Tom successfully defeat three no trump doubled was to watch the joyful triumph of an engaged mind. Despite his physical paralysis, he could precipitate action and when he won a hand, his eyes would impishly twinkle, causing his opponents to redouble their effort yet never begrudge being thumped by this remarkable soul.

The one Christmas card friends in the Quad cities waited for every year would be one Tom would send showing a cartoon of himself, his wheelchair and generally a reindeer or two boating the Mississippi, playing bridge, or standing against a vista or symbol of whatever State or city he had visited that year. One of my favorite memories was the trip Tom made to Washington in the van he had converted to indulge his love of travel.

I toured the Capitol with him and then we had lunch together in the Members dining room. Everyone who encountered Tom soon forgot the chair and brace, the interruptions in this conversation as he gulped to breathe, and saw and heard only the image and voice of a vibrant and captivating

human being. Amelia Earhart once wrote, courage is the price that life exacts for granting peace. The soul that knows it not, knows no release from little things.

The little things we take for granted, even being able to breathe unaided, were very big things to Tom Rogers. But no one handled the big or small challenges of life with greater joy. I recently spoke with a former colleague and one of Tom's boyhood chums, Tom Railsback, and his dear friend and dedicated doctor, Lou Sears. Each could only describe in awe the emancipating cheerfulness of an individual who addressed each new day with such boundless optimism.

I am convinced that God gave us Tom Rogers because he wanted to provide a lesson in the preciousness of life and the need for perspective. There is no single person whoever came into contact with Tom who did not walk away murmuring, my troubles are vastly smaller but I pray to God I can learn to handle them with one hundredth of the courage and good nature as this man from Moline.

Tom's peace has finally been granted. His friends honor him this weekend with a groundbreaking of a nature center to be built in his honor on a beautiful island in the Mississippi. No friend could be more missed than Tom Rogers. He remains an inspiration to us all.

JUSTICE BRENNAN

The SPEAKER pro tempore (Mr. BURR). Under a previous order of the House, the gentleman from Michigan [Mr. BONIOR] is recognized for 5 minutes.

Mr. BONIOR. Mr. Speaker, I rise this afternoon to read an editorial that I think aptly described the life of Justice William Brennan. It is entitled "Justice Brennan's Vision":

William J. Brennan, Jr., who died yesterday at the age of 91 brought to his long and productive career on the U.S. Supreme Court a tenacious commitment to advancing individual rights and the Constitution's promise of fairness and equality. He served for 34 years, a tenure that spanned eight Presidents.

Named to the court in 1956 by Dwight Eisenhower, Justice Brennan saw the law not as an abstraction but as an immensely powerful weapon to improve society and enlarge justice. As such, he was a crucial voice on the Warren Court of the 1960's, a body that boldly expanded the role of the Federal courts and the Constitution itself to protect individual liberties.

Yet even when the Court shifted in a more conservative direction under Chief Justices Warren Burger and, later, William Rehnquist, Justice Brennan was not content to play a marginal role as an eloquent dissenter. Armed with a keen intellect, a forceful personality, and a gift for building coalitions, he had surprising success in mustering

narrow majorities to keep alive the legacy of the Warren Court and its core notion that the Constitution was a living document that could and should be interpreted aggressively.

There is no individual in this country, on or off the Court, who has had a more profound and sustained impact upon public policy in the United States for the past 27 years, said an article in the conservative journal *National Review* in 1984, and it is hard to disagree with that assessment. Justice Brennan was the author of 1,350 opinions, many of them landmark rulings that altered the political and social landscape.

He left his mark on a wide range of issues. *Baker versus Carr*, in 1962, asserted the one-person-one-vote doctrine that transformed democracy and, through reapportionment, the composition of the Nation's legislatures. His famous first amendment ruling in *New York Times versus Sullivan* in 1964 reconfigured the law of libel to give breathing space for free expression and the robust debate of public issues. In *Goldberg versus Kelly*, a 1970 ruling of which he was particularly proud, Justice Brennan initiated what turned out to be a steady expansion of the 14th amendment's guarantee of due process by ruling that a State could not terminate a welfare recipient's benefits without a hearing.

Over all, Justice Brennan's greatness was rooted in his vision of the law as a moral force and his understanding that the genius of the Constitution would be betrayed if the court insisted on the narrow, static doctrine of original intent, the notion that the Constitution can best be interpreted through the eyes of the Framers. This unique feature of the Constitution, he argued instead, was the adaptability of its great principles to cope with current problems and needs.

That vision and driving passion are not thriving in today's court. Like Justice Brennan himself, they are sorely missed.

I had the occasion, Mr. Speaker, to know Justice Brennan. He was a remarkable man. He will dearly be missed. He is one of the truly great Justices and great people of our times and we send our condolences and our best to his family.

USE OF THE INTERNET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota [Mr. VENTO] is recognized for 5 minutes.

Mr. VENTO. Mr. Speaker, today I rise to speak with regard to the matter of personal privacy and the absolute vulnerability and risks and abuses that are taking place with regard to personal privacy. I specifically want to reference the use of the Internet, the Internet system, the online service providers and web sites that exist on the Internet. The Internet, of course, is accessible through our computers and the online services that we purchase.

Earlier this year, in fact last year, in 1996, I first introduced legislation that would require an affirmative action by the individual Internet user, the subscriber, to permit the use of personal information; that is to say, the telephone numbers, the e-mail address, and the profile that is possible. A service provider or for that matter a web site can in fact, through the information and activities that an individual uses on the Internet, can in fact make almost a complete profile of all the web sites that you visit and utilize.

They can do this, quite frankly, without the knowledge of an Internet user; that is, a subscriber or web site can in fact do that. It is as if you are walking down the street with \$100 bills sticking out of your pocket and you are not aware of it. That is to say, we as individual Internet users are very vulnerable.

Of course, as I introduced that bill last September and reintroduced it this past January, H.R. 98, I hope some Members will join me in terms of requiring affirmative approval of a service provider or a web site to use personal information about an individual that is using the Internet.

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And this had been the subject this past June, and I might commend Commissioner Varney of the Federal Trade Commission for the work she had done at that time, she has since left the FTC, but this June she had a seminar and a series of meetings on, in fact, personal privacy on the Internet.

At that time some of the service providers, namely Netscape, the one that we use, incidentally, in the House of Representatives, and Microsoft pointed out they were going to make efforts to provide for personal privacy and some security. But 7 weeks after that, this week we picked up the paper, the *Washington Post* here yesterday in Washington, DC, and it says America Online, one of the service subscribers, will share the users' numbers for telemarketing.

Eight and a half million individuals are customers of America Online, and they were going to share their personal telephone numbers, and I assume their E-mail addresses, for sale. They were going to receive money back for this information. They were going to receive \$150 million back for sharing the personal information, sharing the privacy, selling for profit the personal privacy of the users to the tune of \$150 million.

Well, that is wrong. And the fact was that after this became public, this has been out for some time that they were going to do this but they did not share it, it was like looking for a needle in a haystack trying to discover what America Online was doing, but after that, after this happened, America Online, I am pleased to report, has backed off their plan to give out phone numbers.

I think what this does point out in living color and in graphic detail is the

vulnerability, as suggested in the legislation I have introduced, H.R. 98, of individual Internet users to have the abuse, the involuntary sharing, even being unaware sharing of their personal information.

It is really unbelievable, as I said yesterday, that America Online would be cashing in for profit by selling the personal privacy of their users. The fact is that we need to correct this problem. We need to have some standards.

I think most of us are very leery of any type of censorship with regards to information. We do not want to thwart the development and limit the development or the availability of information, or the development for that matter and use of the Internet, but the risk we run here is that the Internet is going to be filled or be a great wasteland in the fact that it will not have any type of security.

There will not be the type of credibility and certainly not the responsibility on the part of the Internet user. We will not know when we purchase something whether we are participating in a transaction, whether, in fact, a communication or message, or just a complete absence of security or personal privacy.

So I urge my colleagues to join in sponsoring H.R. 98 after they have seen this graphic example of abuse by America Online with regards to personal privacy.

Mr. Speaker, I provide for the RECORD two articles covering the issue I have just been discussing.

[From the *Washington Post*, July 24, 1997]
AOL WILL SHARE USERS' NUMBERS FOR TELEMARKETING: CONSUMER GROUPS, PRIVACY ADVOCATES CALL SUBSCRIBER NOTIFICATION INADEQUATE

(By Rajiv Chandrasekaran)

America Online Inc. plans to disclose the telephone numbers of its 8.5 million subscribers to certain business partners for telemarketing purposes, a decision that industry specialists say could generate a financial windfall for the online service but anger many of its customers.

AOL said it will make the subscriber information available to companies such as consumer-services firm CUC International Inc., which signed a \$50 million marketing arrangement with AOL last month. Such agreements, which industry analysts say could become more common because of the telephone list, are an increasingly important source of revenue to AOL as it seeks to reduce its dependence on monthly user fees.

The new policy is outlined in AOL's revised user rules, which were posted online earlier this month and become effective on July 31. The policy allows users to request that their phone numbers not be disclosed to telemarketers.

The company's decision, however, has outraged consumer advocates, who say AOL members have not been adequately informed of the new policy, which as of yesterday evening had not been mentioned on any of the screens a user sees when logging on.

"Their disclosure is not good enough," said Jean Ann Fox, the director of consumer protection at the Washington-based Consumer Federation of America. "This sets a new low in turning subscribers into a commodity."

Although it is a fairly common practice for companies to sell customer information—