

human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief for all, without distinction as to race, sex, language or religion, basically summarizes the . . . protection of international and domestic legal documents. Religious liberty stands out as one of those *sine qua non* conditions for an atmosphere of respect for the rights of individuals or whole communities."

Mr. Tsirbas also stated, "If the protection of the individual is considered the cornerstone of our modern legal system, religious freedom should be considered the cornerstone of all other rights. The right itself is one of the most recent to be recognized and protected, yet it embraces and reflects the inevitable outworking through the course of time of the fundamental truths of belief in the worth of a person."

Lastly, Col. Kenneth Baillie, spokesman for the Salvation Army in Eastern Europe, outlined the experience of registering his organization in Moscow. "In Russia, as of February this year, we are registered nationwide as a centralized religious organization, [however] the city of Moscow is another story. We have been registered as a religious group in Moscow since 1992. In response to the 1997 law, like everyone else, we applied for re-registration, thinking that it would be merely pro forma. Our application documents were submitted, and a staff person in the city Ministry of Justice said everything was in order, we would have our signed and stamped registration in two days.

"Two days later," Col. Baillie continued, "the same staffer called to say, in a sheepish voice, 'There's a problem.' Well, it is now three years later, and there is still a problem. Someone took an ideological decision to deny us, that is absolutely clear to me, and three years of meetings and documents and media statements and legal briefs are all window-dressing. Behind it all is an arbitrary, discriminatory, and secret decision, and to this day I do not know who made the decision, or why."

Based on the difficult experience of trying to register in Moscow and the Salvation Army's subsequent "liquidation" by a Moscow court, Col. Baillie offered some observations. He noted how "the law's ambiguity gives public officials the power to invent arbitrary constructions of the law." Col. Baillie concluded by stating, "We will not give up," but added he is "understandably skeptical about religious registration law, and particularly the will to uphold what the law says in regard to religious freedom."

Mr. Speaker, this Helsinki Commission briefing offered a clear picture of how the law and practice affecting, registration of religious groups have become critical aspects in the defense of the right to freedom of conscience, religion or belief. No doubt registration requirements can serve as a roadblock which is detrimental to religious freedom. The Commission will continue to monitor this trend among the region's governments which are instituting more stringent registration requirements and will encourage full compliance with the Helsinki commitments to ensure the protection of this fundamental right.

TO RECOGNIZE THE ARGYRO LALOS SCHOLARSHIP FUND AT ARIZONA STATE UNIVERSITY, AND THE OUTSTANDING CITIZEN IT HONORS

### HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 2001

Mr. PASTOR. Mr. Speaker, I stand before you today to recognize the Argyro Lalos Scholarship Fund at Arizona State University (ASU), and the outstanding citizen it honors, Ms. Argyro Lalos of Phoenix, Arizona.

Recently, the Lalos family, with the help of 20 contributors, endowed a scholarship fund on behalf of 93-year-old Yia Yia (ya-ya, which is "grandmother" in Greek), as she is affectionately known, to honor her lifelong respect for quality education. Each year, Ms. Lalos will help select a recipient of the award, which is in the amount of \$500, from among the engineering students at ASU that apply. Engineering students are the focus because the Lalos family believes that Yia Yia would have excelled in this field had she been given the opportunity. Applicants are judged on academic standing and essays they write explaining obstacles they have overcome in achieving a higher education.

Her desire to learn was prominent at an early age. Raised in Greece, she was pulled out of elementary school because of the perceived lack of value in educating young women in that society. Often sneaking to school and borrowing school books, she eventually taught herself how to read, while never receiving a formal education. She continues to be an avid reader of novels and biographies and reads the Greek newspapers daily.

After World War II, Yia Yia came to America with her husband and worked as a seamstress while he worked at a dry cleaning and tailor shop. Achieving an education was stressed in the household and their goal was always to be able to provide their children the opportunity to receive a quality education. Throughout the years, with the money they saved, this goal was accomplished as Yia Yia's children and four grandchildren have all received a higher education.

Having endured World War I, the flu epidemic of 1918, the economic depression of the 1930's, German occupation during World War II, and the Greek Civil War, the only heartache Argyro Lalos holds is over never having received a formal education. However, assisting today's students in overcoming the financial obstacles to higher education is a selfless way to give to others the opportunity she never had and therefore a fitting tribute to the much beloved matriarch of the Lalos family.

INTRODUCING THE RETIREMENT ACCOUNT PROTECTION ACT OF 2001

### HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 2001

Mr. BENTSEN. Mr. Speaker, I am introducing legislation to address one troubling

issue raised in the wake of the Enron Corporation's sudden stunning demise—the lockdown of Enron employee 401(k) accounts. The Retirement Account Protection Act of 2001 (RAPA) will bar employers from unilaterally and arbitrarily freezing sales of company stock by an employee from their 401(k) pension plans or other Employee Stock Ownership Plans (ESOPs).

Mr. Speaker, while we accept that lockdowns are often ordered in the routine course of plan management by a business, the simple fact is that they unfairly tie the hands of employees. The sudden collapse of the Enron Corporation illustrates how the impact of a lockdown can damage the retirement security of employees. As part of a routine switch of administrators for its employees' 401(k) program, Enron froze employee retirement accounts, packed with its stock, right as shares plummeted in late October and early November. When all was said and done, Enron Corporation's 401(k) plan lost about \$1 billion in value. Enron employees assert that during the lockdown, they could only watch in horror as the value of their company stock fell from \$30.72 at the close of trading on October 16 to \$11.69 on November 19. The anxiety about their jobs was compounded by their inability to protect their retirement savings from decimation.

Under RAPA, employers would have to petition the Secretary of Labor for permission to order an administrative lockdown or freeze of employee defined contribution plans. The Secretary would apply a three-part test and the lockdown would be permitted if the Secretary found it to be administratively feasible, in the interests of the plan and its participants and, most importantly, "protective of the rights of participants and beneficiaries of the plan." Presently, freezes or lockdowns of employee transactions in the Employer stock plans are routinely ordered for administrative reasons such as switches in benefit administrators or during transition times associated with corporate mergers. My bill also orders the appropriate regulators to study the advisability of imposing a cap on company stock purchases by employees for their defined contribution plans, in the wake of Enron's demise and the devastation of thousands of retirement accounts. There are serious questions about the prudence of imposing diversification requirements on employee investments.

Under RAPA, employers who are granted an exemption by the Secretary of Labor could then order a lockdown or freeze of account activity, but not before giving employees adequate notice. Under my bill, current employees, former employees and pension plan beneficiaries would receive written notice of the lockdown at least ninety days prior to the effective date. The importance of providing timely, adequate written notice to all effected parties, regardless of whether they still are employed, cannot be overstated. Former Enron employees who were plan participants, but no longer had access to Enron's internal e-mail network, report that the first time they received notice of the lockdown was when they tried to sell their company stock.

Mr. Speaker, the Employee Retirement Income Security Act (ERISA) has done a good