

Texas, Alaska, and Kentucky. This bill became Public Law 100-587. A third clarified the bankruptcy laws as they applied to municipalities, including changes to the laws governing their bond issues for public works. It became Public Law 100-597. Last, Congress passed legislation to provide for retirement and survivors' annuity for bankruptcy judges and magistrates, etc. This bill became Public Law 100-569.

In 1990, we passed a bill to clarify the laws governing swap agreements and forward contracts. It became Public Law 101-311.

That year, Congress also passed a law to prohibit drunk-drivers from discharging debts arising from their actions under chapter 13. This became Public Law 101-581.

The 1990 crime bill included some bankruptcy provisions pertaining to the collection of debts to the U.S. Government and the discharge of debts in bankruptcy. This bill became Public Law 101-647.

In 1992, Congress passed a bill to authorize the appointment of additional bankruptcy judges. This bill became Public Law 102-361. Alabama was to receive another bankruptcy judge for the Northern district.

1994 saw the passage of a major bankruptcy reform bill. This bill became Public Law 103-394. It modified provisions concerning the rights of debtors and creditors and altered the relationship between secured and unsecured creditors. It increased the efficiency of the business reorganization procedures. It encouraged the use of procedures that allow individual debtors to pay their debts over time instead of facing liquidation. It also created a bankruptcy review commission to report on needed substantive changes. The bill sought to modernize the administration of the bankruptcy process by establishing clear authority for bankruptcy courts to manage their dockets activity through the use of status conferences. The bill strengthened extant law to encourage Federal appeals courts to establish a bankruptcy appellate panel to promote expedient bankruptcy appeals.●

#### TRIBUTE TO MARSHALL B. DURBIN, SR.

● Mr. HEFLIN. Mr. President, just before the sine die adjournment, the Alabama Business Hall of Fame at the University of Alabama announced that the late Marshall B. Durbin, Sr., would be inducted posthumously into the Alabama Business Hall of Fame. Marshall Durbin was the sort of business visionary blessed with the ability to turn his dreams into the reality of accomplishments.

Born to O.C. Durbin and Ola Culp Durbin February 27, 1901, in Chilton County, AL, Marshall Durbin, Sr., passed away in November 1971, leaving behind him then four brothers, five sisters, a widow, a son, and what is now one of the top poultry companies in the

United States, with facilities in three States, markets as far flung as Russia and the Far East, annual sales of about \$200 million, and more than 2,200 employees.

To gain a more complete understanding of Marshall Durbin, Sr., it helps to turn the pages of history back to the late 1920's when the enterprising young Alabamian—whose formal education ended at third grade—moved off the family farm to the big city of Birmingham to enter the real estate business. But the stock market crash of October 1929, followed by the Great Depression, led him quickly to the conclusion that this would not be the most profitable course to follow. Reviewing his options, Mr. Durbin decided that regardless of economic conditions, "People will want to eat." So in 1930, with \$500 in funds borrowed from his bride, the late Eula Sims Durbin, he established a retail fish stand. Two years later, he added poultry—and a second stand.

From those small retail stands Marshall Durbin Cos., grew into its present-day status as a vertically integrated company, complete with its own hatcheries, breeder flocks, contract growers, warehouses, processing plants, cooking plants, feed mills, fleet, and distribution facilities. The growth in Marshall Durbin Sr.'s business was mirrored by that of the Alabama poultry industry, which today has a major impact on the State's economy. By producing more than 882 million broilers, it provides employment for some 55,000 Alabamians and income for almost 4,000 farmers—and has a total industry impact of almost \$7.5 billion.

During his years of industry leadership Mr. Durbin actively supported organizations that would contribute to its growth—and the growth of his State. For example, he was a cofounder of the Southeastern Poultry and Egg Association, served as president of the Alabama Poultry Processors Association and was cofounder of the Alabama Poultry Industry Association. On the national level, he was a cofounder of the National Broiler Council and the first president of the National Broiler Marketing Association, plus he served 15 years as a member of the board of directors of the Institute of American Poultry Industries.

"His principle business philosophy was hard work and lots of it," remembers Marshall B. Durbin, Jr., who succeeded his father as head of Marshall Durbin Cos., after working in the business with him for many years. "In the early years, he would be on the streets making personal calls to hotels and restaurants at 4 a.m.—calling on the chefs in person. There was a lot of competition, and often the company that got the business was the first one there. "He always tried to be the first one there." Mr. Marshall, Junior, is a very good friend of mine and we have talked extensively about his father and his legacy over the years.

Another place Marshall Durbin came in first was in his belief that chicken

could be a viable business in the South. In the pre-World War II era, the Midwest seemingly had a lock on the market due to the producers' close proximity to ample supplies of corn and grain. Mr. Durbin worked long and hard to help convince railway companies to move to larger railcars and concurrently reduce rates, selling them on the argument that by the reduction they could increase volume and profits. This led to a shift in agricultural economics, with the South producing more chickens and the Midwest focusing its efforts on growing more corn and soybean to feed those chickens. He also led the way in promoting the nutritional value of chicken; it was at his urging in the early 1960's that the National Broiler Council initiated, with Kellogg's Corn Flakes and the Cling Peach Association a joint advertising program centered around this theme and aimed at women's magazines.

Mr. Marshall, Junior, also remembers his father, who over the years furthered his education with such readings as "Plutarch's Lives" and Will Durant's "The Story of Civilization", as a fair man. "He was a good leader—a fair leader. I remember him as stern but friendly. Of course as happens in most businesses we sometimes disagreed on how things should be done because of the generational differences. But I can remember that for a while after he died when I had a problem I would still find myself getting up and going into his vacant office to ask for advice \* \* \* by then I had learned that his counsel was generally right."

The son says he believes his father, who in his later years found time for fishing and always reserved his Sundays to take his granddaughters to the zoo and then out for hamburgers, would most like to be remembered for the way he helped set the course for the poultry industry in not only Alabama and the Southeast, but in the United States.

Perhaps Marshall Durbin, Senior's most significant legacy in that regard stemmed from his tenure on the U.S. Department of Agriculture National Advisory Committee in the middle 1960's. At the time, the USDA was in the process of introducing a proposal to impose production quotas and price controls on the poultry industry. Having seen what a detrimental effect similar policy measures had wreaked on the cotton industry, Mr. Durbin used his membership on the National Advisory Committee to position himself in the leadership of the opposition to quotas.

The result of those months of work in Washington, DC, are still felt today. Thanks to the efforts of Marshall Durbin, Senior and those who worked with him, no lids were imposed on poultry-production, and unlike King Cotton, long ago dethroned in the world market, the poultry business has grown exponentially. For example, when Mr. Durbin went to Washington to first battle for this cause, the United States

was producing 2.3 billion chickens annually, while in 1995 some 7.3 billion birds were produced. And over the years, Alabama has been the beneficiary of much of this growth—as is evidenced by the fact it is now the third largest poultry-producing State in the Nation.

Even 25 years ago the relevance of Marshall Durbin Senior's national policy work in the District of Columbia was well known. As then said the Southeastern Poultry Times, "His influence there was credited with helping to keep the poultry industry free of production and price controls and today the poultry industry is among the remaining 'free enterprise' industries of agriculture."

Around the State, his efforts were also well recognized, as evidenced by his 1969 induction in the Alabama Poultry Hall of Fame. And upon his death in 1971, the trade magazine "Broiler Industry" drew upon the words of Ralph Waldo Emerson to best capture the industry leaders' accomplishments, writing, "if, as Emerson said, 'an institution is lengthened by the shadow of one man,' then Marshall Durbin, Sr., was such a man \* \* \* he was a man who always knew where he was going, and how he was going to get there—a true natural leader \* \* \*. He was one of the best integrated broiler operators in the United States."

But perhaps the final tribute to Marshall Durbin, Senior, is that he gave his vision the roots to continue to grow.●

#### TRIBUTE TO GOODWYN L. MYRICK

● Mr. HEFLIN. Mr. President, just before the sine die adjournment, the Alabama Business Hall of Fame at the University of Alabama announced that Goodwyn L. Myrick, the president and chief executive of the Alabama Farmers Federation and Alfa Insurance Co., would be inducted into the Alabama Business Hall of Fame.

Goodwyn is a native of Etowah County, AL, where he was born in 1925. He established his first dairy herd in 1944 with eight cows. Today, M & H Farms—a partnership between Goodwyn, his son, Greg, his daughter, Donna, and son-in-law, Tony Haynes—has over 400 Holstein dairy cows and 700 head of beef cattle. It encompasses two farms and more than 2,000 acres.

In 1978, he was elected president of the Alabama Farmers Federation, and is currently serving his ninth term as president of the federation and Alfa Insurance Co. During his tenure, Alfa has had the greatest amount of storm losses and the greatest amount of growth in its history, with \$267 million in losses since 1978. At the same time, it has grown by 1,000 percent. The Alabama Farmers Federation has seen its membership grow from 223,000 in 1980 to nearly 400,000 today.

Goodwyn's previous positions include president of the Etowah County Farm Bureau Federation; the board of direc-

tors of the Alabama Farm Bureau Federation—predecessor organization to the Alabama Farmers Federation; and vice president of the federation.

Considered one of the most influential businessmen in the State, Goodwyn joins the ranks of over 100 other distinguished corporate leaders in the Alabama Business Hall of Fame. These previous inductees include George Washington Carver, Winton "Red" Blount, and Aaron Aronov.

I am pleased to commend and congratulate Goodwyn Myrick for receiving this most-deserved honor. The agricultural community of Alabama has never had such a strong leader and loyal friend.●

#### TRIBUTE TO BILL MITCHELL

● Mr. HEFLIN. Mr. President, just before the sine die adjournment, the Alabama Business Hall of Fame at the University of Alabama announced that Bill Mitchell would be one of its inductees this year. Bill is the retired president of First National Bank of Florence, which is now SunTrust Bank.

This University of Alabama Law School graduate has spent his life serving his community. He has served as president of the Muscle Shoals, Alabama, Regional Library Board, the Florence Chamber of Commerce, the Florence Rotary Club, and the Lauderdale County Chapter of the American Red Cross.

Bill has also been a member of the board of directors of the Alabama State Chamber of Commerce, the Alabama Department of Archives and History Board of Trustees, the University of Alabama System Board of Trustees, the University of Alabama College of Commerce and Business Administration Board of Visitors, and the University of North Alabama president's cabinet.

His rich heritage suits this honor well. He still attends First Presbyterian Church in Florence, where his great-grandfather, a Scotch-Irish immigrant, served as pastor during the 1850's. His grandfather served as a probate judge, a representative in the Alabama Legislature, and State tax commissioner. His father served in the State senate and as president of the Alabama State Bar.

Bill earned a noncombatant Bronze Star with Oak Leaf Cluster and a Legion of Merit award for his service during World War II. Before going into banking, he practiced law in Florence from 1946 to 1958.

According to an Alabama Business Hall of Fame report, the purpose of this award is to honor "the names and accomplishments of the State's most distinguished business leaders." Bill Mitchell certainly fits this description. He has succeeded by following his own advice: "Learn a lot about a lot of things, work hard and get to know people." He is a living example of the wisdom of that advice, for he has practiced it and lived it throughout his life.

In fact, few people have been as instrumental in making the city of Florence what it is today as he has. He has been involved in virtually every organized effort aimed at improving the quality of life for its residents. He has a lengthy list of leadership positions and career positions. He has often been called upon to serve as the president of charitable and civic organizations like those mentioned above. He has made his mark in business and has served his family and church faithfully.

I am pleased to commend and congratulate Bill Mitchell for being inducted into the Alabama Business Hall of Fame. He continues to bring honor to his city and its citizens who have been the beneficiaries of his many years of outstanding and selfless service.●

#### REGARDING H.R. 2505 ALASKA NATIVE CLAIMS SETTLEMENT

● Mr. MURKOWSKI. Mr. President, during the closing days of the 104th Congress, I spoke many times about how a single Senator, with or without cause, can prevent any piece of legislation from moving forward, even if it is noncontroversial. Unfortunately, this seems to be the case with a piece of legislation that is very important to me and the people of my State.

H.R. 2505 was passed by the House on September 26, 1996, at that time I had the legislation held at the desk in the Senate and continually tried to get it passed. Unfortunately, I was told that there was a Democratic hold on this legislation and it would not be able to move through the Senate in the final hours. I am deeply disappointed by this and am even more disturbed knowing that it was the result of a political decision and not one based on substance.

H.R. 2505 is a bill to amend the Alaska Native Claims Settlement Act to make certain clarifications to the land bank protection provisions, and for other purposes. I supported all of the provisions in this package, Mr. President, and am very disappointed that it was not allowed to move forward on the floor of the U.S. Senate. The greatest consequence the failure to pass this legislation will have on the people of Alaska will be felt most severely in the Calista region.

Section 5 of H.R. 2505 implements a land exchange with the Calista Corporation, an Alaska Native regional corporation organized under the authority of the Alaska Native Claims Settlement Act. This exchange, originally authorized in 1991, by Public Law 102-172, would provide for the United States to acquire approximately 225,000 acres of Calista and village corporation lands and interests in lands within the Yukon Delta National Wildlife Refuge in southwestern Alaska.

The refuge serves as important habitat and breeding and nesting grounds for a variety of fish and wildlife, including numerous species of migratory birds and waterfowl. As a result, the