WPS Exemptions for Consultants Under Review

While in Washington for its annual lobbying visit last month, NAICC leaders tackled two issues that are hot buttons to the membership: a repeal of the crop advisor exemption under the Worker Protection Standard (WPS) and the proposal from NAICC and the Consortium of Concerned Scientists to exempt research consultants from the WPS. Carrying the NAICC banner were the Executive Board, executive vice president Allison Jones, and Legislative Advisory Committee members Robin Spitko and Mark Jensen.

Crop Consultant Exemption:
The group met with two divisions within EPA to discuss new language that appeared on the bromoxynil label as the product went through the reregistration process. Since that time the language has appeared in additional Reregistration Eligibility Documents (RED) for products also in the queue.

Anne Lindsay, Director, Field and External Affairs division at EPA advised the group that her office stands behind the crop advisor exemption and suggested that the change might have been a miscommunication between the two departments within EPA.

However, Jack Housenger, Associate Director of the Special Review and Reregistration division explained that the decision was made to repeal the crop advisor exemption with regard to bromoxynil because of the “concern for in utero developmental effects.” EPA is concerned that because these findings are not required to be printed on the product label, that women of childbearing years may enter a treated field and be at risk.

NAICC representatives explained the day-to-day operations of consultants and assured Housenger and his staff that because of the continual education process and experience of certified crop consultants, all precautions are taken and passed on to their employees.

NAICC argued that crop advising activities are essential to the implementation of integrated pest management practices in production agriculture and restricting timely access to fields would greatly impair these programs. Furthermore, in the final rulemaking process situations like these were accounted for and the education, experience, and training requirements of those certified crop consultants (and those under their direct supervision) gives them the capacity to make sound judgments about re-entry.

The NAICC delegation also met with various staff members of the House and Senate Agriculture Committees to discuss WPS, the implementation of the Food Quality Protection Act (FQPA), and livestock and crop insurance issues. One such meeting was with Brad Shurdut, a toxicologist and Congressional Science Fellow on the House Committee on Agriculture and Committee staff director Russell Laird. In a follow-up conversation with Allison Jones, Shurdut reported, “I spoke with an EPA official who stated that NAICC made a compelling case for consultants and the potential implications related to a prolonged re-entry interval. The Agriculture Committee is concerned with any decisions that may set precedents which are counterproductive to IPM and agricultural production goals without first establishing a sound scientific basis for doing so.”

“...is concerned with any decisions that may set precedents which are counterproductive to IPM and agricultural production goals without first establishing a sound scientific basis for doing so.”

CONTINUED ON PG.2
Impromptu "anything" were acceptable to me until a fateful day in 1981. I was taught a valuable lesson in being prepared by one from whom I least expected to learn.

I was at a particularly bad summer in the consulting business that I got an itch to try something different or unusual. While reading the small, local, rural paper - the type that reports when Mr. Green is in the hospital or the Smiths' daughter is attending church camp - I saw an ad that read, "Exotic Chickens For Sale". Oh, me - this sounded interesting.

Anthony, Lise' and I drove to a nearby village and bought 25 of the most colorful fowl that one has ever seen. These "bantie" chickens came in all sizes and shapes with various feather conformations, lengths and shapes. We bought the cages as well, loaded them into the back of our Ford Courier truck, strapped them down and drove home.

Since I had not prepared a chicken coop in which to put these exotic "banties," we clipped their wings so they couldn't fly and put them in our largest beagle pen (empty of beagles, of course). The beagles - all two dozen of them in the other pens looked on with curiosity and a certain degree of hunger. The "banties" appeared anxious.

Since I'd never had a problem with the dogs digging or climbing out of their pens, there was little concern that they could get to the "banties."

We left to borrow some chicken wire from our neighbor to construct a chicken coop. Returning 15 minutes later we drove around the shed towards the pen where the chickens should have been. As we rounded the corner we noticed feathers drifting down from the sky. I glanced forward and noticed my best rabbit dog, Fuzzy, sitting in the pen that the "banties" had previously occupied. He had a look of "I didn't do it" on his face, but the feather hanging from the corner of his mouth said otherwise.

Fuzzy had climbed out of his pen and into the pen with the chickens. I wasn't there for the introduction, but it must have been quick and less than acceptable to the "banties".

Fuzzy didn't kill any of the chickens, probably because he had never seen an entire "coy of banties" before at one offering. He did what we call a "coy shot" and missed every bird. But in the meantime he proved one thing - "exotic banties" with clipped wings can fly. No need for a replicat- ed study. One test was enough for the fowl.

We couldn't find anything but feathers that afternoon. All was quiet, including Fuzzy. The next morning we heard crowing coming from the trees on Tiger Bayou some distance away. We saw chickens in the tops of 100-foot pecan trees and on the tops of a neighbor's home a half-mile away. They couldn't be enticed to come down. After several days of trying we left them to nature's course and resolved that we could not depend on paying for Anthony's education with the "exotic banties" that we had purchased.

We were in and out of the exotic chicken business in less than an hour because I wasn't prepared. If I had built a "chicken coop" for the "banties" we probably could have bought an island by now. The economic and emotional trauma would have devastated many, but we dug in and survived without the chickens.

NAICC offers many of us the opportunity to be prepared. Information via the Internet, the newsletter, networking and the annual meeting is vital to both our economic viability and that of our clients.

Independent agricultural contract researchers must use the most up-to-date equipment and techniques in order to produce the data necessary for ag crop protection product companies to determine if the products are efficacious. Companies depend on independent, realistic views of the potential of their products. This is the preparation needed to make clear, concise decisions. The researchers must prepare their equipment, employees, computer programs, etc., each year. Thorough preparation is needed prior to each test to guarantee conformity and repeatability.

Each year consultants prepare their field scouts by reviewing basic insect, disease and weed identification and standardizing growth and/or fruiting data. They also must be physically prepared to handle the rigors of field work. Many times we spend much less time preparing for each season than we should. In the end we pay for it - and so do our clients.

The lesson that Fuzzy taught me was swift and unforgettable. It will always be a reminder that when I get in a hurry and skip steps, bad things can happen. God bless.
Branch Chief. Certification and Worker Protection suggested that a resolution similar to the crop advisor exemption would be considered. Discussion centered around various certifications available to research scientists and EPA suggested the consortium propose minimal standards for certified researchers. All parties interested in a researcher exemption would then petition EPA for approval of their program.

NAICCC has submitted follow-up information to EPA and has another meeting scheduled to discuss further action on both exemptions.

Dads in DC

As a gesture of appreciation for the hard work that goes into policymaking, the Executive Board hosted the Second Annual Dads in DC crawfish boil in the Rayburn Café. The event was timely as the last bells rang throughout the halls of Congress and the House of Representatives adjourned for Easter recess during the event. Several Congressmen,

The 1999 Pest Management Alternatives Program (PMAP) Request for Proposals (RFP) has been announced in the March 30 Federal Register. The goals for this program are: (1) to develop and demonstrate alternatives and possible mitigation strategies to ensure that growers have reliable pest management tools; and (2) to develop crop profiles that summarize crop production practices, pest management tools, alternative pest management practices, pesticide use/usage, IPM and resistance management issues, etc.

PMAP funds are not restricted to land-grant institutions or government agencies. Commodity groups, grower organizations, independent researchers, etc., are encouraged to compete for the funds. About $1.5 million is available to support the program this year. It is also expected that EPA will contribute additional dollars. The deadline for applications is June 1, 1999. For more information see the March 30, 1999, Federal Register (Part IV) or http://www.reeusda.gov/ipm/pmaprpf99.htm

You may also contact Wilfred Burr at (202) 720-8647 or Steve Yaninek at (202) 401-6702.

Money Available

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You may also contact Wilfred Burr at (202) 720-8647 or Steve Yaninek at (202) 401-6702.
The Professional Ag Consultant — An Information Source

By Denise Wright

Over the past 10 years, agriculture has made some major changes. The new year has begun and a new millennium is fast approaching. Changes in crop production, as well as other aspects of agriculture, have accelerated faster than can be comprehended.

These changing times make it an even greater challenge for the agricultural consultant to meet the producer’s needs more than ever. Three of the top needs of the producer today are:

1) A knowledge resource who knows the producer’s operational needs
2) Technical information
3) Competitive pricing

It can be difficult to bring all three together, but the consultant can succeed at this by staying informed.

The information you gather from your producers is the most important knowledge you can obtain. That information can be about their operation, as well as about the producer as an individual. By developing an understanding of the growers’ crop production, you can learn about some of their problems or concerns. Examples include issues concerning precision farming, pest resistance, conventional rows versus ultra narrow rows and more.

Obtaining this information provides you with insight into your grower. The producer relies on you as a source of information that you can collect from the Internet, university field days, publications and seed and crop input company research. A plethora of information is readily available.

Another way to obtain technical information is to do plot work of your own in cooperation with a local producer or independent researcher and an industry technical representative, whether he or she is from a seed, fertilizer, or chemical company. This will enable you to gain first-hand results. In turn, it could lead into a field day and makes you the local expert. The closer the test plots are to the local growers, the more value they bring to the producers.

Information is out there; growers just sometimes have a difficult time sorting it out and bringing it into perspective. This is where you as the professional ag consultant come into play. Once you obtain your information, you can present it to the grower and make your recommendation. It’s very important to always follow up on your recommendation to learn whether or not progress is being made. In time, you and your grower will have a better understanding of the effects of your decision. The impact of providing useful information to the grower cannot be stressed enough. If you don’t supply it, someone else will.

Price, of course, is always a concern (these days, probably the most significant). Producers are looking for that bottom line. However, if the consultant can supply the information they’re looking for and apply it to their operation and productivity, they will know that the higher price paid was of much value.

Pulling together resources, technical information and pricing takes time. As 1999 continues to move along rapidly and the year 2000 looms in the near future, you will find that the old standby recommendations will soon be memories, as a lot of you have already realized. Change will bring more ideas and frustrations for you, as well as for the grower.

Now is the time to capture the opportunity of building a good relationship with your growers so that you can help them survive the changes and be their first source of information. Working together will give both of you a winning bottom line, enabling you to stay in business. And, I believe we would all agree that this in itself is a major challenge today.

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Transferable Turf Residue Sampling Procedures

By Pat Jones

In the not-too-distant past, turf dislodgable residue sampling employed methods that did not produce acceptable results. Cloth was placed on the turf, a garbage bag was placed over the cloth and a roller of a specific weight was rolled over the bag and cloth a set number of times.

Often these items would not stay in place and the cloth would slide here and there. Also, turf clippings were taken from a given area and an effort was made to extract residues from the clippings. This produced poor results for a variety of reasons (differences in surface area, etc.).

A better method has been developed by the Outdoor Residential Exposure Task Force (ORETF), which was formed in 1994. The method employs a roller called the "Modified California Roller Assembly" and PVC frames to hold the cloth in place.

EXCEL Research Services, Inc. has conducted a fair number of these turf transferable studies and I would like to offer some insights based on experiences we’ve had while sampling.

The cloth requirements are very specific: 100 percent white cotton sheeting - 200 thread count cut to 27” X 39”. A cloth-cutting roller from a fabric store is recommended, as well as a special plastic pad and straight edge designed specifically for cloth-cutting. Scissors and a yard-stick will cause you nothing but
grief if you try to measure and cut the cloth using that method. Plastic sheeting designed to overlay the cloth must be cut to 28" X 40". This sheeting can be procured in rolls with perforations cut to the perfect size. The PVC frames also come pre-made, and are highly recommended. The frames are 0.25" PVC cut to the correct size with the middle cut out to the specific size of the sample. There is a 3/8" hole in each corner to pin the frame, cloth and plastic overlay to the turf. It is recommended that a long handled "weeder" type instrument be used; the handles on these are long enough that the turf is never touched.

We at EXCEL plan to modify the frames by removing the top and bottom rail type clamps and adding toggle clips to the top, bottom and sides of the frame to help secure the sampling media. It is recommended that all sampling frames be assembled with the media prior to sampling. Purchasing extra frames is the way to go. This saves cleanup and the need for reassembly to collect subsequent replicate samples. Have at least two control and three treated frames on hand. We use a large wooden box that can be lined with clean butcher paper for each sampling event. The box is placed in the back of a pickup. It holds all assembled frames and the treated and untreated rollers, as well as ice chests for samples. Rather than cleaning the pickup each time, only the paper needs to be changed.

Collecting the samples is a two-person job. The person holding the frame to collect the sample should always have his/her back to the wind to allow the person unclipping and folding the sample to better grasp the cloth as it comes off the frame. Samples are folded in place in pre-labeled ziplock bags, and the cloth may need to be placed in foil first, depending on the specific chemistry of the test compound.

More details can be found in the manual provided by ORETF. One of the most important items I can tell you is to make sure you have a copy of this manual and study it thoroughly if you think you will be awarded a turf transferable residue study. Also, ensure that you study and follow the specific protocol for the trial.

A contact for further information and procurement of the manual is: Dr. David R. Johnson Stewart Ag Research Services, Inc. P.O. Box 509 Macon, MO 63552 Telephone: (660) 762-4240 Fax: (660) 762-4295 E-Mail: davejohn@marktwain.net

Profile - Agricultural Consultant

Ray Young, a legend in his profession of agricultural consulting, was recently sought after for his views on today's agriculture. Following is a brief background on Young and his thoughts on issues presented to him. He was a senior at Louisiana Tech in 1949 and had been chosen to go to northwest Louisiana to work on a bold new project that began in 1948. This project involved routinely scouting cotton fields on a weekly basis to determine the level of infestation of various insects present in cotton, boll weevils being the leading pest.

He and his colleagues had the cooperation of Dr. Dale Newsom of Louisiana State University and Dr. Charles Lincoln of the University of Arkansas in working out economic thresholds for the various insects. Young commented that this was very intriguing work (and still is), and it was gratifying to see the help consultants could give to growers who were badly in need (and still are!). He worked again at this endeavor in the summer of 1950, then took off four years to fly in the U.S. Navy during the Korean War. After the war ended, he "landed" in Wisner, La., which was about the largest cotton patch he could find. He knocked on a few doors and went into business.

Through the ensuing years, his business evolved into a total management program, in which he and his partners help make most of the decisions involved in producing a cotton crop. And he's still at it today. Young has tested different methods on his own farm over the years and if they worked, recommended them to his growers. He also admits he has learned much from his growers. "This has been a most rewarding career for me," he says.

Also it has been fun and sometimes funny. A few years ago he was testifying as an expert witness in federal court in Phoenix, Ariz. The judge, apparently not overly impressed with the merits of the case, chose to engage in private conversation with him. He wanted to know why he didn't see as many cotton gins in Arizona as he had seen a good many years ago. Young explained that there were not as many gins, but they were larger than those he'd seen in the past. After that conversation ended, the judge decided to get back to the case at hand.

He gives the following advice on selling services: a consultant with experience should point this out when recruiting new clientele. Explain to that prospective client that you keep up with evolving technology...
by availing yourself of learning experiences at every opportunity. Explain that this is your area of expertise and emphasize that it is your priority to give 100 percent when it comes to consulting activities and that you are not committed to the day-to-day task of managing a farm. Tell the grower that improving his/her "bottom line" will more than pay for your services. In the case of a young professional starting to build a client base, Young recommends finding a mentor and hanging close to that person for advice. He encourages them to learn at every opportunity of old and new technology applications. Also, he stresses that for the young consultant just starting out, diligence in every aspect of the business is absolutely necessary.

Young emphasized the importance of the need to stay in touch with the companies furnishing the equipment necessary to accomplish the new technology; attend seminars on its applications. Visit with the people who are using some of the newer techniques. Assess the need for the new technology on our own farms or on a client's farm. Use the technology as needed (e.g., if there's no weed pressure to speak of, then we don't need to buy weed control technology - likewise with insects)."

When asked about his views on the boll weevil eradication program currently being implemented in his part of the state, Young said he looks forward to it. He believes it will make insect control in cotton a little simpler. First and foremost, dollars won't have to be spent controlling weevils, thus not killing off beneficials in the process. He has hope that the boll weevil eradication process will make the beet armyworm situation more tolerable. And he believes that once you spray weevils aggressively early in the year, the beneficials will do a better job of controlling the first generation of beet armyworms. All of this together should result in higher yields, Young believes.

The veteran consultant's view of the future includes a continuation of the current trend toward consolidation caused by shrinking profit mar-

gins and technological intensity that requires more intense management. Technology will also enable us to produce commodities for more specific uses. More expertise will be required; thus, the learning process must continue if consultants are to keep pace with technology.

He voiced sincere concern; in fact he said he was alarmed at the state of agriculture in our nation. "I used to think that agriculture could do quite well if our government got totally out of it. However, in recent years and especially this last year, I've changed my mind. I do not believe we can survive without help from our government."

He went on to say that 'free trade' is not necessarily 'fair trade'. We don't compete with farmers in other countries, we compete with foreign governments," he said. "The consumers in our country pay 10 cents out of a dollar for food. I believe they can well afford the taxes necessary to support agriculture. Consumers here have the highest standard of living in the entire world and with only 10 cents going for food, this leaves 90 cents to buy houses, cars, vacations and all the good things we enjoy. In an economy where all sectors are booming except agriculture, we need to prioritize and give agriculture a break!"

In 1957, he recalled the cotton crop was late, a freeze came early, and a poor crop resulted. In September, 1958, rain and cloudy weather lasted for 10 days. The seed sprouted and began to grow in the bur. The fields turned from white to green. The crop was a disaster. Two bad crops back to back are devastating. "We wondered if we could continue to grow cotton. Industry, research, Extension and a few consultants (there were only a few back then) got together to decide what to do. Out of that meeting came the Louisiana Cotton Forum that we still have, wherein we discuss the problems and try to arrive at solutions. This is an example of people with a common interest banding together to make positive things happen. It can be done!"

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**Transgenic Crop Studies and the USDA/APHIS Requirements**

**Peter Raymond, Regulatory Affairs Manager, Monsanto Company**

Following is a synopsis of Raymond's presentation to research consultants in attendance at NAICC's recent annual meeting.

The U.S. Department of Agriculture (USDA) and the Animal and Plant Health Inspection Services (APHIS), plant biotechnology, performance standards, and implementation efforts were the key topics of Raymond's presentation.

APHIS was directed to "protect American agriculture" as a result of the Federal Plant Pest Act to ensure the safety of ag products of biotechnology. Biotechnology is defined by APHIS as an advanced tool in crop improvement, applied to plant breeding, genetics, cyto- genetics, quantitative genetics, tissue culture and cell culture. Biotechnology is noted by APHIS as rDNA, making it a "regulated article."

A "regulated article" is defined as "an organism that has been genetically engineered from a donor organism, recipient organism, vector or vector agent that is a plant pest or contains plant pest components."

The field trial requirement by APHIS includes elimination of gene flow opportunities, ensured reproductive confinement and confinement of progeny. Also required are an assessment of plant pest potential and growth habit (aggressive, fecundity, etc.). Field designs are crop specific.

To meet APHIS Performance Standard 7CFR340, shipping and maintenance considerations are one of several qualifications that must be followed. Maintenance at the destination involves clearly marking and segregating materials, ensuring adequate storage conditions, maintenance of isolation borders or "pollen trap" borders and proper handling of leftover seed. (Seeds and other mate-
erals capable of propagation must be devitalized before disposal.)

Another qualification involves inadvertent mixing of materials in environmental releases. Planting should occur in defined plot areas with defined alleys for differentiation. Plots should be clearly marked and planting and harvesting equipment must be cleaned prior to and after use. Material identity must be maintained and seed disposition and devitalization noted. Harvested areas must be monitored for volunteers, with the date and method of destruction noted. A monitoring period for volunteers should be instilled.

Vector agents need to be monitored, as well. Transformed tissue must be assured to be free from the vector agent prior to release. In-season monitoring for obvious differences in disease and insect susceptibilities, weediness and growth habit should take place. To ensure against persistence in the environment, isolation borders should be used to minimize genetic drift. Devitalization should take place after harvest, and reproductive capabilities should be restricted. To reduce risk brought on by volunteer plants, the previous season’s defined area should be closely watched. The date and method of volunteer destruction should be documented.

An APHIS Implementation Compliance Package includes an introduction, acknowledgment, notification, compliance plan, performance standards, checklist and monitor forms. The introduction consists of an approved request, USDA number, maximum plot size total, facility, county location and effective date. Action items appropriate at each step, contingency plans, key contacts and communication are all aspects of the compliance plan. The performance standards section is customized for each transgenic crop, with crop specific isolation requirements and a volunteer monitoring period. Critical dates and trial monitoring of diseases, insects and growth habits are aspects of the checklist. The monitor forms cover these checklist items.

APHIS facility requirements include QA/QC control. Within this system are the RAC studies, which suggest minimum audits for seed planting, planting and release, sampling, final harvest and crop destruction. Regulatory science trials using QC audits are also recommended.

The information gathered by APHIS is used to petition USDA for deregulated status. It’s used to illustrate that plant pest concerns are unwarranted, to characterize molecular characterization and stability, to express protein and to show food safety. The information is also used to allow growers the freedom to operate.

More information on this topic can be found at www.aphis.usda.gov or www.monsanto.com. You can contact Peter Raymond at peter.j.raymond@monsanto.com.

Grady Coburn, Pest Management Enterprises, Cheneyville, LA, and Roger Carter, Agricultural Management Services, Clayton, LA, were quoted in Farm Progress’ February issue. The article, "Consultants Examine Systems in On-Farm Situations," evaluated various weed control systems on cotton farms in Louisiana.

Dennis Berglund, Central, Inc., Twin Valley, Minn., gave a presentation and participated in a panel discussion on precision agriculture as part of the USDA 1999 Outlook Conference in Washington, DC. Berglund, representing crop consultants, was joined by two university professors and one farmer on the panel. Over 1200 commodity group representatives, USDA and EPA officials, and media attended the Outlook Conference.

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<table>
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<tr>
<th>CALENDAR OF EVENTS</th>
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<tr>
<td><strong>May 23-28, 1999</strong></td>
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<tr>
<td>10th Annual Soil Conservation Organization Conference, Purdue University, West Lafayette, Ind., Contact: Mark Nearing, fax: (765) 494-5948.</td>
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| **June 9-12, 1999** |
| National Workshop on Constructed Wetlands/BMPs for Nutrient Reduction and Coastal Water Protection, Radisson Hotel - Canal Street, New Orleans, La. For more information contact Dr. Frank Humenik, NC State University, (919) 515-6767 (phone); (919) 513-1023 (fax), or FRANK_HUMENIK@NCSU.EDU. |

| **August 8-11, 1999** |

| **October 22-24, 1999** |
| NAICC Executive Board Meeting, Sheraton Old Town, Albuquerque, N.M. For more information contact Allison Jones at (901) 861-0511; (901) 861-0512 (fax); JonesNAICC@aol.com. |

| **January 19-22, 2000** |
| NAICC Annual Meeting, Doubletree Lloyd Center, Portland, Ore. For more information contact Allison Jones at (901) 861-0511; (901) 861-0512 (fax); JonesNAICC@aol.com. |