

# Guidelines for Making Public Statements

*Adopted by the Board of Directors January 26, 2006*

## I. What Constitutes an Academy Public Statement

For purposes of these Guidelines, an Academy “public statement” is a written or oral statement made on behalf of any Academy entity (i.e., board, committee, task force or work group) to any other entity. Statements of opinion representing the views of an individual member are not Academy public statements under these Guidelines. Examples of Academy public statements include:

- A** Statements to governmental entities such as regulatory comment letters, testimony, amicus curiae briefs, or formal comments submitted to legislative, executive, judiciary, regulatory, and investigative bodies at the federal, state and local levels;
- B** Statements to professional and other interest groups such as letters, oral presentations, or other submissions to non-governmental organizations (e.g., the American Bar Association, Financial Accounting Standards Board, the Government Accounting Standards Board, the International Accounting Standards Board, the National Association of Insurance Commissioners).
- C** Statements to the media such as articles, letters to the editor, press releases, interviews, and other expository submissions to newspapers, periodicals, television, radio and cable stations and other mass media.

## II. The Scope of Academy Public Statements

Academy public statements should be consistent with the mission and purpose of the Academy and grounded in actuarial science. However, the actuarial profession’s expertise is broader than what normally would be considered “pure” actuarial science. Consequently, it is appropriate for the Academy to issue a public statement that goes beyond the narrow areas where the actuary’s knowledge is unique if that statement will contribute to discourse on an issue that is of interest to the Academy,

its members, and the public.

The scope, tone and nature of an Academy public statement should reflect the dignity and professionalism of the actuarial profession. Statements should contain a clear, concise, and balanced presentation of significant facts, including relevant benefits and costs. An Academy public statement need not, however, limit itself solely to statements of fact, but may also draw valid inferences from statements of fact, express opinions, and advocate consistent with the Academy’s mission, vision, and purpose in order to provide the public with the benefit of the full range of the profession’s capabilities.

## III. Development and Delivery of Public Statements

Academy members and staff should generally follow these Guidelines in the development and delivery of Academy public statements, although these procedures may be modified from time to time to ensure the timeliness and effectiveness of certain statements. In particular, media communications are considered to be a special form of public communication because media deadlines frequently prevent the utilization of the review processes described in these Guidelines. When letters to the editor, radio or television interviews, or other media submissions are expected, the member who chairs the Academy entity that prepared the public statement or who is expected to act as the Academy’s spokesperson should contact the Academy’s director of communications for special guidance.

- A Identification of Issues.** In deciding whether to issue a public statement and what the content of the statement will be, Academy entities should comply with the Public Policy Decision Model Application Guide published in the Academy’s Leadership Manual.
- B Authority to Proceed.** Academy public statements should only be issued if authorized by one or more Academy officers (i.e., President, President-Elect, Vice President, Secretary-Treasurer, or Past Presi-

dent) with supervisory authority over the public statement. If an Academy committee, task force, or work group identifies a matter that may warrant a public statement, it may develop the public statement if authorized to do so by the relevant Academy supervisory officer and subject to applicable peer, legal, and policy review and approval procedures. If staff or supervisory officers identify a matter that may warrant an Academy public statement, they will assign it to an appropriate Academy entity (i.e., committee, task force, or work group) to develop. If a committee, task force, or work group identifies an issue that is significant for more than one practice area, staff and the interested supervisory officers will discuss the matter, consulting other Academy members if desired, determine which Academy entity will develop the statement, and then arrange for proper coordination among interested Academy entities through the use of joint task forces, committee liaisons, dual practice council reviews, or other appropriate means. Supervisory officers may, at their discretion, seek advice from their practice councils to resolve “jurisdictional” issues and achieve proper coordination.

**C Notice of Public Statement Preparation.** Members will be notified of the preparation of public statements and, more generally, of issues and matters of concern to the Academy, on the Academy’s website and through articles and announcements in the *Actuarial Update*, *Inside the Academy*, *Media Update*, and *Contingencies*. As appropriate, member input will be solicited. Reports summarizing Academy activities during the previous 12 months are published annually in the *Academy Record*.

**D Development of Public Statements.** Academy committees, task forces, and work groups will prepare Academy public statements and supporting materials as follows:

**1** An Academy public statement generally reflects the opinions of the Academy entity that prepared it, but it is always appropriate for the entity to involve other Academy members who are considered by the entity to have pertinent expertise. In some instances, the chairperson of the entity preparing the public statement may decide, with the approval of the supervisory officer, that it would

be beneficial to involve non-Academy members, including non-actuaries.

- 2** When addressing issues that are expected to be controversial within the profession, the chairperson and supervisory officer should seek broader input from Academy members and leaders of the profession by, e.g., inviting member comments in Academy publications or on the website, discussing the issues with Academy leadership and the leadership of other actuarial organizations, solicitations and special sessions at actuarial meetings, special seminars on the issues, discussions with Academy committees, task forces, or work groups or, if time permits, circulation of exposure drafts. The supervisory officer will select the means used to obtain member input in appropriate consultation with the Academy president, the chairperson of the entity preparing the public statement’ and staff. Academy staff and the supervisory officer are initially responsible for determining whether an issue is expected to be controversial.
- 3** Staff is available to facilitate the preparation and distribution of Academy public statements, and members are strongly encouraged to work collaboratively with staff to produce statements under these guidelines that are consistent with the Academy’s mission, purposes, and previous public statements.
- 4** Staff may also develop Academy public statements (e.g., amicus curiae briefs) from time to time. Such statements may be developed with the approval of the appropriate chairperson and supervisory officer and should be circulated to the members of an appropriate Academy committee, task force, or work group for comment prior to release, absent extraordinary time constraints.
- 5** The chairperson should seek a consensus of the group that prepares the public statement. If there is a substantial lack of consensus, the chairperson may elect to: incorporate the majority and minority perspectives into the statement; refer the issue to the supervisory officer; or not issue the public statement. In some cases, time constraints may prevent the entire committee, task force, or work group from participating in the completion of a particular statement, and the task of drafting the

statement may be left to the chairperson or the chairperson's designee(s). In such cases, the drafters should seek maximum input from available committee, task force, or work group members to the extent it is practical to do so.

- 6 A supervisory officer and staff may agree to release a statement before completion of peer review only under extraordinary circumstances. Otherwise, no Academy public statement should be released or presented without appropriate peer review. The appropriate level of peer review varies, depending upon the level of risk and exposure of the statement. Before release, statements must be approved by the supervisory officer or designee thereof and Academy public policy and legal staff. Peer review usually should include the committee, task force, or work group chair and two senior reviewers in addition to the supervisory officer (or designee) and staff. The senior review persons, to be selected by the chairperson with approval of the supervisory officer, should be knowledgeable and experienced in the subject at hand and should be intended to reflect broadly held views of the profession.
- 7 The decision to issue a final public statement generally rests with the supervisory officer, who may delegate this responsibility to the committee, task force, or work group chairperson or other designee. For issues of major importance or those deemed controversial, the executive director and president also should be consulted before the statement is released to its intended audience.
- 8 When deemed appropriate by the supervisory officer, a recommendation should be made to the president that a proposed statement be submitted to the Board of Directors for review before issuance. The Board may modify or disapprove a public statement if it believes such action is in the best interests of the Academy.

**E Presentation of Public Statements.** The committee or group issuing an Academy public statement must be identified as responsible for the statement. The group will ordinarily be a practice council committee, task force, or work group, or the Board of Directors. Except when the forum requires it, for example, in court proceedings or international settings

(see below), blanket sponsorship by the entire Academy may not be stated or implied. When the audience is familiar with the Academy and its committee structure, a statement such as the following will usually be sufficient: "This statement was prepared by the American Academy of Actuaries' [XYZ Committee]." In instances when further explanation is appropriate, the committee, task force, or work group should consider including additional language such as the following: "The [committee] is made up of representatives from the entire range of [name of actuarial practice area]. The committee includes actuaries who work as consultants, are employed by insurance companies, are actuaries for government [specify type of government programs, if appropriate] and the National Association of Insurance Commissioners, and are employed by nonprofit [specify type, if appropriate] organizations. The expertise of other senior [practice area] actuaries knowledgeable on [issue] was drawn upon to prepare this statement."

As a general rule, Academy public statements are not attributed to the individual members of the group that developed them. In some cases, however, identifying members of the group may add to the credibility of the statement or serve some other purpose, such as meeting the requirements of the intended audience. The decision to identify individual authors should be made in consultation with the supervisory officer and Academy staff. Unless there is good reason not to do so, non-actuaries who participated in the formulation of the statement should be identified and their non-Academy-member status and role identified in footnotes or otherwise. Any statement that involves issues of significance to multiple practice areas should clearly identify the practice area to which the statement is intended to apply. All public statements should be dated and submitted in written form, with an oral presentation as appropriate. Statements should be submitted on Academy letterhead.

If an oral presentation concerning an Academy public statement is to be made, the chairperson of the group that developed the statement and supervisory officer will select the person or persons to make the presentation. When an individual makes an oral presentation of an Academy public statement; for example, when testifying concerning the content of

the statement before Congress, the individual should state that he or she has been designated as the representative of the Academy committee, task force, or work group that prepared the public statement, and that the views expressed by the individual represent the consensus views of the Academy group that prepared the public statement. No individual making an oral presentation of an Academy public statement should express the views of his or her client or employer when making the presentation. The individual should state that he or she is not speaking on behalf of the individual's client or employer. If, through questioning or other means, the individual is required to express a personal opinion concerning the subject of the public statement, the individual should identify the opinion expressed as his or her own and not the opinion of the Academy group that developed the public statement.

Even when statements are responses to technical methodological inquiries, the general issue being addressed should be clearly specified in an initial sentence or two. Except when the Academy is well known to the audience, a formal statement about the Academy (sample below) should be included in the public statement.

It is generally appropriate for a member who participates in a media interview or other media contact to note that the views expressed by that member are not necessarily those of the Academy.

**F Distribution of Statements.** After an Academy public statement has been completed and, if applicable, formally submitted, the statement will be available for broader distribution. The statement will be posted on the Academy's website, and members can request a copy of the statement by writing or calling the Academy's Washington office.

## IV. Sample Description of the Academy

The American Academy of Actuaries is a national organization formed in 1965 to bring together, in a single entity, actuaries of all specializations within the United States. A major purpose of the Academy is to act as a public information organization for the profession.

Academy committees, task forces and work groups regularly prepare testimony and provide information to Congress and senior federal policymakers, comment on proposed federal and state regulations, and work closely with the National Association of Insurance Commissioners and state officials on issues related to insurance, pensions, and other forms of risk financing. The Academy establishes Qualification Standards for the actuarial profession in the United States and supports two independent boards. The Actuarial Standards Board promulgates standards of practice for the profession, and the Actuarial Board for Counseling and Discipline helps to ensure high standards of professional conduct are met. The Academy also supports the Joint Committee for the Code of Professional Conduct, which develops standards of conduct for the U.S. actuarial profession.

## V. International Public Statements

From time to time, the Academy may wish to make public statements in the international context, or to join in public statements made by the International Actuarial Association (IAA) or other international actuarial organization. Statements by the Academy may be developed by the appropriate Academy committee, task force, or work group in accordance with the preceding sections of these guidelines, except that such statements will generally be issued on behalf of the Academy as a whole, and should be reviewed by the president or the president's designee before their release. Final approval to issue or join in an international public statement is generally granted by the president with advice of the vice president(s) for the relevant practice area(s). When deemed appropriate by the president, the proposed statement will be submitted to the Board of Directors, which may modify or disapprove the statement or, in the case of IAA public statements, recommend modifications as appropriate.

The Task Force on IAA Oversight should be notified and included in the review of a proposed IAA public statement before the Academy decides to join in or object to the public statement. The Task Force on IAA Coordination should be notified whenever the Academy decides to join in or object to a public statement issued by the IAA.