

February 20, 2001

Director  
Policy Directives and Instructions Branch  
Immigration and Naturalization Service  
425 I Street, N.W.  
Room 4034  
Washington, D.C. 20536

*Re:* INS No. 2068-00, Adding Actuaries to Appendix 1603.D.1 to  
Annex 1603 of the North American Free Trade Agreement (NAFTA)

Dear Director:

These comments are submitted on behalf of the United States actuarial profession by the American Academy of Actuaries (the "Academy") with respect to the proposed rule adding actuaries to Appendix 1603.D.1 to Annex 1603 of the North American Free Trade Agreement ("NAFTA"). The Academy strongly supports the proposed rule and urges its immediate adoption.

As the Federal Register notice advising of the proposed rule indicates, the Academy and its Mexican and Canadian counterparts first approached the United States Chapter 16 Temporary Entry Working Group ("TEWG") in June of 1994 with a request that actuaries be added to the list of professions eligible for facilitated temporary entry under Schedule 16 of NAFTA.<sup>1</sup> Since that time, the Academy has worked continuously and diligently with the TEWG to demonstrate that actuaries are professionals who meet Schedule 16's criteria for temporary entry. The Academy has provided information to supplement the actuarial profession's initial application for facilitated temporary entry, has conferred repeatedly with representatives of the TEWG and the various relevant federal agencies in support of the application, and remains committed to seeing actuaries added to Appendix 1603.D.1. Further, we

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<sup>1</sup> There are five actuarial organizations in the United States: the Academy, the American Society of Pension Actuaries, the Casualty Actuarial Society, the Conference of Consulting Actuaries, and the Society of Actuaries. In 1994, the Academy's four sister organizations delegated to the Academy authority to work with the TEWG on behalf of the United States actuarial profession. That delegation of authority remains in place, and was recently reaffirmed in Paragraph 19 of the Working Agreement between the North American actuarial organizations, a copy of which is attached.

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have been advised that our counterparts in Canada and Mexico have maintained similar contact with their trade representatives and that the governments of those countries favor facilitated temporary entry for actuaries. In fact, the Academy's representatives discussed the proposed rule with their Canadian and Mexican counterparts at a recent meeting, and the Canadian and Mexican representatives confirmed that they still very much support its adoption.

The Academy believes that granting actuaries facilitated temporary entry would be entirely consistent with the purposes of NAFTA and, in particular, with NAFTA's goal of easing restrictions on trade in professional services between the NAFTA parties. Actuaries are skilled professionals whose proficiency in identifying, quantifying and managing contingent risk is highly valued by insurance companies and pension plan sponsors alike. All three NAFTA parties and their citizens can only benefit if actuaries are more readily able to cross their borders and provide clients and employers with their professional expertise.

The TEWG has determined that actuaries should be included in Appendix 1603.D.1, and we know of no reason to question that determination. The actuarial profession's application has been on file for almost seven years, and we are eager to see it approved. The Academy urges the expeditious adoption of the proposed rule. Please contact the Academy's Executive Director, Richard C. Lawson, at (202) 223-8196, if you require any additional information or assistance with respect to this matter.

Sincerely,

Lawrence A. Johansen  
President