

June 4, 2010

Elizabeth Neiman  
Director of Communications and Public Relations  
ANSI  
25 West 43rd Street, Fourth Floor  
New York, NY 10036

Dear Ms. Neiman:

This letter responds to your request for input into the formulation of ANSI's report to the Standards Subcommittee of National Science and Technology Council (NSTC).

ACIL (American Council of Independent Laboratories) was founded in 1937 as the national trade association representing the independent testing laboratory industry. An independent laboratory is one that is not affiliated with any institution, company or trade group that might affect its ability to conduct investigations, render reports, or give professional counsel objectively and without bias. ACIL's 137 member companies operate approximately 400 laboratory facilities across the U.S. and abroad. They range from the one-person specialty laboratories to multi-disciplined, international corporations employing thousands of engineers, scientists, technicians, analysts, consultants and support staff.

The NSTC activity is entitled "standards", but we know from our own interactions with senior executives in the administration that this NSTC subcommittee also will deal with conformity assessment matters. And as an ANSI member for decades, ACIL has partnered with ANSI over the years on broad range of conformity assessment matters.

With this as background ACIL has some serious concerns about the method that ANSI will use to ensure that all ANSI federation stakeholders have input into the final report to NSTC.

First, ANSI is not the coordinator for conformity assessment activities in the United States and should not present itself as such. ACIL fully understands ANSI's role as coordinator for the U.S. standards system, but it is clear that coordination for conformity assessment in the United States is NIST's role under the National Technology Transfer and Advancement Act (NTTAA). On the other hand, if there were to be a private sector coordinator of conformity assessment in the United States, that role would better suit an

organization like ACIL since we do not have a conflict of interest related to the business of conformity assessment.

Second, ACIL supports a system of robust competition in accreditation that offers those organizations seeking accreditation a choice of service providers. We do not support sole-sourced, monopolized accreditation programs. ANSI must involve all of its stakeholders and federation members from the outset in an open and transparent process that not only fully supports the use of all private sector conformity assessment bodies but also all private sector accrediting bodies in a method-neutral, sector-specific approach.

When ANSI interacts with government on conformity assessment matters, it is imperative that ANSI represent the interest of all ANSI federation stakeholders, even though it might not be in its own business interest.

Should you have any questions, please feel free to contact me. In the alternative, you may also contact ACIL's CEO, Milton Bush.

Sincerely,

John Molloy, P.E.  
Chairman