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Posted At: Thursday, December 10, 2009 1:32 PM
Conversation: federal register notice of sept 12 2009 volume 74 number 175
Posted To: EO 13126
Subject: federal register notice of sept 12 2009 volume 74 number 175

TO: Federal Register,

I would like to officially respond to the Federal Register notice of September 11th, 2009 (Volume 74, Number 175). This initial determination proposes to update the list that is required by Executive Order No. 13126, in which you have added “Carpets made in Nepal”

I am the President of Tufenkian Import Export Ventures Inc based in New York City. We were one of the first American companies to develop carpet production in Nepal 25 years ago, and have been the largest United States importer of those products since then. We have in many years been the largest importer in the world of carpets from Nepal.

Our business from its inception has been based on the dual purpose of making money and improving the lives of the workers and the communities in which we operate. You may visit our website at Tufenkian.com and see a range of our activities in Nepal and Armenia.

Not only is child labor something we have prohibited from the first, but we have established our own school for the children of workers. I believe it is the largest of its kind, and likely the best, in all of Nepal. That school now educates over 600 students per year. Unlike many, we did not just refuse to employ children. We also went the extra step to see that they be educated and have a chance to advance in their lives beyond the position of their weaving parents.

In addition, we have never felt or understood the need of anyone in Nepal to employ children in carpet weaving. While they are subject to the most brutal employment in the agricultural industry throughout the country, there is no need to employ them making carpets because there are ample adult workers to satisfy the needs of the industry. Because I have never heard of a case of child slave labor that exists in other countries, children if employed would demand and receive the same wages as any other worker. So no need or benefit in employing them. For this reason I don't believe that there exists child labor in Nepal, and am sure it does not exist in any of my factories.

The topic of child labor in the manufacturing of rugs from Nepal has come under scrutiny and review of many government agencies over the past decade, DOL and the GSP program to name a couple, and after much review has not been removed from GSP and was not included on the 2001 Executive Order list. As the OCFT indicates in their summery of problems to be addressed in the current project “**Research on children working in the carpet industry of India, Nepal and Pakistan (SGA 07-11)**”, “children currently working in the carpet industry in these three countries is unknown”.

I understand that it is the responsibility of ILAB to monitor information in our industry and to try to determine if it is credible or not, and to make a determination whether you believe this product

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"MIGHT" have been produced or manufactured using child labor. I have taken the time to look at the Trafficking Victims report that DOL submitted to you and reviewed the 17 references that are listed on page 136/137 in the bibliography and can understand your challenge.

From the 17 references I came to the conclusion that if they are not comments from private individuals they are NGO's that bring awareness to the public about child labor but do not have current data to substantiate their claims. Most of the references, as well as Rugmark, do however state that the use of child labor is on the decline. I reference Rugmark only because I see that the majority of the 17 references are associated with them in one way or another, and in most of the references themselves.

It is for this reason I am a supporter of the project by the OFCT, "**Research on children working in the carpet industry of India, Nepal and Pakistan (SGA 07-11)**". In which OFCT has contracted Macro International to provide independent, non-biased, professional research in regards to the use of child labor in the manufacturing of rugs made in Nepal.

Since Macro's data is not scheduled to be submitted to you until September 30th, 2011, I respectfully request ILAB to remove Carpets made in Nepal from its proposed list subject to Executive Order 13126 until Macro International has had a chance to report to you and to ensure that the American's tax dollars were put to good use for this project.

Respectfully submitted,

James Tufenkian
President
Tufenkian Import Export Ventures Inc.