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February 18, 2010

The Honorable Richard J. Durbin
U.S. Senate
309 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Durbin,

Thank you for your letter of January 29, 2010, which follows my August 27, 2009 letter to you and Senator Coburn. As the person responsible for Dell's corporate responsibility policies, I have again been asked to reply for the company. As I mentioned in my previous letter, Dell is committed to protecting human rights, whether with respect to our own employees, suppliers and their workers, or customers. As you have requested, this letter describes Dell's business in China, our plans for protecting human rights in China, and our engagement with the Global Network Initiative (GNI).

Dell's Business in China

Dell has been established in China since 1998. We assemble and sell a range of hardware products within China. These products include personal computers, printers, servers, storage devices and, most recently, smart phones. We also sell services and software to support these hardware products. Our hardware products allow our customers to access the media or content provided by other companies. Dell itself is not a media company or content provider. We are also not an internet service provider or a telecommunications service provider.

Dell's Commitment to Human Rights

Our employees. Dell is committed to treating our employees fairly and with dignity and respect. Our Code of Conduct sets out our commitment to workplace equality, compliance with all applicable legal requirements, and ensuring that our employees work in a safe and healthy environment.

Our supply chain. Dell has also taken steps to help ensure that working conditions in its supply chain are safe, that workers are treated with respect and dignity, and that business operations are environmentally responsible. Dell is a member of the Electronic Industry Citizenship Coalition (EICC), and we adhere to the Electronic Industry Code of Conduct. We are committed to working with socially responsible entities that comply with all applicable laws and regulations where they conduct their business, embrace high standards of ethical behavior, and treat their employees fairly, with dignity and respect. Both Dell and the EICC audit for adherence to applicable laws regulating wages, hours and working conditions. Dell requires its suppliers to adopt the EICC code of conduct. Suppliers must demonstrate a commitment to the health and safety of their employees and not use forced or indentured labor, or use raw materials or finished goods produced by forced or indentured labor.

Our customers. In addition, as I explained in my August letter, Dell is committed to protecting the privacy of our customers. Our privacy statement makes clear that Dell will only collect, store and use their personal information for limited business purposes and to support and enhance our relationships with them. We do not sell our customers' personal information. We expect our employees to appropriately safeguard our customers' information and comply with Dell's privacy policies and applicable laws on customer privacy.

Our Approach to Protecting Human Rights When Faced With Government Mandates in China or Elsewhere. Access to technology and the Internet is critical in promoting human rights and freedom of expression around the world. Dell is proud of our role in placing this powerful tool in the hands of our global customers. We recognize, however, that issues may arise with respect to government mandates that may impact customers in a particular country.

When facing specific government mandates where citizens' freedom of expression or privacy may be impacted through the use of a Dell product, we look to our own Code of Conduct as well as applicable best practices. In this regard, Dell is familiar with the GNI principles and guidance, which generally mirror our approach.

We recognize that issues involving governmental policies can have larger implications that are beyond any one company's ability to deal with effectively, and so we attempt to address such mandates by working with other companies that may be similarly affected using our trade associations, and by engaging with governments through our associations to express the concerns of our industry.

We strive to provide customer choice when at all possible, consistent with local law. If not possible, then we seek to avoid or minimize the impact of government mandates or restrictions on freedom of expression and privacy. We also seek to give clear, prominent, and timely notice to customers when a specific government mandate on hardware vendors may impact their ability to fully use our products.

The Global Network Initiative

In my August letter to you, I noted that Dell recognizes the value of industry best practices, and that we were open to discussing the value of GNI membership as well as other options specifically tailored to the IT hardware sector. Following my letter, Dell attended the GNI “Open House” on September 10, 2009. We found this informational session instructive and informative. Having participated in this dialogue and reviewed GNI’s principles and workstream, we applaud the GNI’s efforts to develop guiding principles and best practices, and to increase transparency. We are supportive of these efforts. We believe that the GNI’s work is applicable to media and content companies, who are frequently and consistently faced with government mandates to censor or monitor content. Dell does not fall into this category, given our company focus on selling hardware. As a result, we declined the invitation to join the ongoing workstream.

We continue to believe that the hardware industry requires an approach more tailored to our own circumstances. We are working with industry partners and stakeholders to develop a list of principles in collaboration with interested stakeholders designed to meet the specific needs and issues faced by the hardware industry.

Again, we appreciate your work to protect human rights around the world. Dell is committed to protecting human rights, whether with respect to our own employees, our suppliers and their workers, or customers.

Sincerely,

A handwritten signature in black ink, appearing to read "Gilbert Casellas". The signature is written in a cursive style with a long, sweeping underline that extends to the left.

Gilbert F. Casellas
Vice President
Corporate Responsibility
Dell Inc.