



AMERICAN CONSERVATIVE UNION



CITIZEN OUTREACH  
Putting the Public Back in Public Policy



Mr. Frederick W. Smith  
President, Chairman & CEO  
FedEx Corp.  
P.O. Box 727  
Memphis, TN 38194

July 15, 2009

Via USPS Express Mail & Fax  
901-818-7570

Dear Mr. Smith:

We've been on record as opposing federal bailouts of failing businesses because they waste taxpayer money, reward businesses that are poorly run, skew the marketplace, and are well outside the proper role of our constitutionally limited government. So when FedEx claimed that UPS was seeking a government bailout, we were prepared to jump all over another wasteful government program. But after looking into FedEx's claims, we realized that FedEx was not telling the truth. UPS was not seeking any taxpayer funds -- only regulatory reform that would insure equal treatment of both companies under our nation's labor laws.

FedEx's campaign called "Brown Bailout" ([www.BrownBailout.com](http://www.BrownBailout.com)) is designed to capitalize on public sentiment that is angry that hundreds of billions of dollars have been wasted in the name of bailouts. But since UPS is not seeking even one dime of taxpayer money, the campaign is essentially a disinformation campaign and should be stopped.

If FedEx wants to oppose the regulatory reform being sought by UPS, that is fine. But FedEx should use honest arguments and refrain from disingenuous and dishonest labels.

What FedEx falsely and disingenuously labels a bailout is merely UPS asking that the government treat both competitors the same. You can oppose this change in the law if you like, but you cannot honestly call it a bailout. A bailout is when the government gives money to failing businesses to prop them up in hopes that they will become viable. UPS is not seeking, nor will it receive any taxpayer money as a result of this regulatory reform. Additionally, UPS is not a failing company. It is doing quite well despite having to compete in the economic race while wearing proverbial army boots.

Again, we are not telling you what position to lobby with Congress. But we are asking you to stop using false and disingenuous labels to make your point. We believe FedEx should take down the deceitful website and stop misleading the public and legislators. To paraphrase the words of Ronald Reagan, "Mr. Smith, tear down this website."

Sincerely,

Malcolm Wallop  
U.S. Senator (ret.)

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George C. Landrith  
President, Frontiers of Freedom

Grover Norquist  
President, Americans for Tax Reform

David Keene  
President, American Conservative Union

James L. Martin  
President, 60 Plus

Chuck Muth  
President, Citizen Outreach

Karen Kerrigan  
President & CEO, Small Business & Entrepreneurship Council

Duane Parde  
President, National Taxpayers Union