

United States Pilots Association, Inc.

P.O. Box 503, Cordova, TN 38018-0503

November 18, 1992

Mr. Frederick W. Smith
Chairman and Chief Executive Officer
Federal Express Corporation
2005 Corporate Avenue
Memphis, TN 38132

Re: Your Revised Debate Proposal of November 16, 1992

Dear Mr. Smith:

Thank you for your fax that I received yesterday afternoon. We believe that the pilot force might find debates to be of some interest. However, in their November 12, 1992, response to your initial proposal, Capt Babbitt and the ALPA organizing committee served notice that they interpret these debates as election interference. Furthermore, they accuse Federal Express of "attempt[ing] to promote the stature and credibility of USPA, and to diminish the role of the Federal Express Pilots Organizing Committee."

ALPA has a proven history of protesting election results. After consulting with legal counsel, we believe that ALPA will ultimately challenge the election results and use the debates you propose as the basis for a legal action before the NMB. We do not wish to be party to any action which might force another rerun election. To subject this pilot force to another lengthy NMB investigation would not be in keeping with our P-S-P philosophy.

Certainly you can appreciate our position. The Company has previously expressed its frustration in being unable to change pilot pay, working conditions and benefits due to the ever-present threat of legal challenges from ALPA. It is ironic that USPA is now faced with a similar dilemma of trying to maintain the "laboratory conditions" mandated by the Railway Labor Act in order to protect the pilots' democratic choice from a legal challenge from ALPA.

For the record, ALPA's statements and inferences that Federal Express is giving preference to USPA during this election are totally without merit. In fact, ALPA's inference of company assistance to USPA is particularly puzzling given that Federal Express spokesman Brandon Davis was quoted in *The Commercial Appeal* as saying he was unsure if the independent union drive was a "ploy by ALPA to bring the level of union support above the 50 percent plus one needed for ALPA to represent our pilots".

In conclusion, in order to protect the pilots' democratic choice from a legal challenge by ALPA, we hereby request that USPA and Federal Express terminate all discussions concerning the debates and consider the matter closed.

Sincerely,

USPA Organizing Committee

By: 
Mark Estabrook, Interim Chairman