



November 27, 2012

D. Scott Davis  
Chairman & Chief Executive Officer  
UPS  
55 Glenlake Parkway, NE  
Atlanta, GA 30328

Dear Mr. Davis:

I am writing to urge you to reconsider—and reverse—the new policy<sup>1</sup> adopted by The UPS Foundation designed to exclude the Boy Scouts of America from being eligible for future donations, such as the generous ones you have granted to them in the past.

Just a few months ago, after the Boy Scouts re-affirmed their longstanding policy regarding homosexuality, a UPS spokesperson, Kristen Petrella, told the media (as reported<sup>2</sup> on September 18, 2012):

“This decision has not and will not impact The UPS Foundation’s decision to provide funding to BSA although we evaluate each funding request on an individual basis.”

and:

“UPS has always supported and will continue to support youth development. A large number of UPS employees were involved with the Boy Scouts in their youth and some of them continue to serve as scout leaders today. UPS believes in supporting organizations with which its employees are involved.”

No adequate explanation has been given for the reversal of this position less than two months later, on November 8, 2012.

Is UPS no longer interested in supporting youth development? There surely can be no doubt that the Boy Scouts of America remains one of the oldest, largest, most successful, and most highly respected youth development organizations in the country.

Surely there has been no change in the fact that “[a] large number of UPS employees were involved with the Boy Scouts in their youth and some of them continue to serve as scout leaders today.” Does the reversal of your position mean that UPS no longer “believes in supporting organizations with which its employees are involved?”

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<sup>1</sup> <http://www.ajc.com/news/business/ups-no-longer-funding-boy-scouts/nS45s/>

<sup>2</sup> <http://americanindependent.com/217335/corporations-giving-big-money-to-boy-scouts-despite-anti-gay-policy>

Media reports indicate that the new UPS policy was adopted following an online petition drive at the website [change.org](http://change.org), which is well-known for its support of liberal political causes. This petition reportedly garnered 83,000 signatures. However, the 1,074,775 volunteers who provided leadership to the Boy Scouts last year—agreeing to abide by the Scouts’ moral code—is more than *twelve times as many* as those who signed the petition. In addition, the 2.7 million boys who were members of the Boy Scouts is more than *32 times as many* as those who signed the petition. This much larger number of young people and adult volunteers are the ones for whom you have shown profound disrespect—and whose valuable activities will suffer from the loss of funding.

The revised statement<sup>3</sup> posted on your website states, “UPS and The UPS Foundation do not discriminate against any person or organization with regard to categories protected by applicable law . . .” It would have been more prudent for the statement to stop there. Neither the federal government nor your corporation’s home state of Georgia treat “sexual orientation” or “gender identity” as protected categories under employment or public accommodations laws. In fact a majority of states do not recognize “sexual orientation” as a protected category, and less than a third of the states recognize both “sexual orientation” and “gender identity.” While UPS is free to add other categories for purposes of your own corporate practices, it is an unseemly form of coercion to try to impose such standards, which are not widely accepted in the law, on other organizations.

I would remind you that the Supreme Court of the United States ruled in 2000, in the case *Boy Scouts of American et al. v. Dale*, that the Scouts, as a “values-based” organization, have a constitutional right to maintain their chosen moral standards, including standards of sexual conduct.

Many people who view the Boy Scout policy on homosexuality as “discriminatory” or “exclusionary” actually misunderstand the nature of the policy. Contrary to the claims of the anti-Scout forces, the Boy Scouts do not exclude anyone based on “who they are.” The text of the Boy Scouts’ policy<sup>4</sup> reads as follows:

“While the BSA does not proactively inquire about the sexual orientation of employees, volunteers, or members, we do not grant membership to individuals who are open or avowed homosexuals or who engage in behavior that would become a distraction to the mission of the BSA.”

The Boy Scouts’ announcement<sup>5</sup> on July 17, 2012 that the policy would remain in place—which your spokesperson Ms. Petrella said would *not* affect future funding decisions by the UPS Foundation—added this:

“The vast majority of the parents of youth we serve value their right to address issues of same-sex orientation within their family, with spiritual advisers, and at the appropriate time and in the right setting.”

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<sup>3</sup> <http://www.community.ups.com/UPS+Foundation/Focus+On+Giving>

<sup>4</sup> <http://www.scouting.org/media/PressReleases/2012/20120607.aspx>

<sup>5</sup> <http://www.scouting.org/Media/PressReleases/2012/20120717.aspx>

In other words, the issues are appropriate *sexual conduct* and appropriate *topics of discussion* within Scouting. Throughout history, sexual conduct has been subject to constraints within systems of moral values. It has always been clear from the Boy Scouts' mission statement that their purpose is to "instill values in young people and . . . prepare them to make ethical choices," and the Scout Oath includes a pledge "to keep myself . . . morally straight." While some people may disagree that values, ethics, or morals require abstinence from homosexual conduct, it is hardly unusual that the Boy Scouts believe this, and it is unquestionably their right to do so.

Ironically, in adopting a policy designed to exclude the Boy Scouts from funding, the UPS Foundation has acted directly against the value you ostensibly seek to promote—diversity. Indeed, in its supposed effort to act against one form of "discrimination," the Foundation has itself engaged in another—by discriminating on the basis of religion against the many religious bodies which teach abstinence from homosexual conduct, and against all of the members of those bodies who adhere to those teachings. For example, this places the UPS Foundation in the position of discriminating against the largest religious body in the United States, the Roman Catholic Church; against the largest Protestant denomination in the country, the Southern Baptist Convention; and against the largest religious supporter of the Boy Scouts, the Church of Jesus Christ of Latter Day Saints.

While UPS and The UPS Foundation are of course free to determine your own criteria for charitable grants, your customers are also free to determine their own criteria for choosing shipping services. In the past, UPS has been a major vendor for the Family Research Council—in the last year, we have given your company approximately \$80,000 worth of business. Unless you reconsider your decision to exclude the Boy Scouts from future charitable gifts, FRC may have to reconsider its choices to meet our shipping needs.

We would be happy to discuss this with you privately in the coming days. However, if there is no satisfactory resolution of this issue by December 4, 2012, we reserve the right to go public with our concerns, and to urge the millions of Americans who share our commitment to traditional values of faith, family, and freedom to reconsider their purchasing decisions as well.

The UPS Foundation has demonstrated its support for lesbian, gay, bisexual, and transgender organizations and causes. However, it would be a testimony to your commitment to *true* diversity if you were to continue supporting the valuable youth development work of the Boy Scouts of America.

Sincerely,

A handwritten signature in blue ink that reads "Tony PERKINS". The signature is stylized, with a large, sweeping initial "T" and "P".

Tony Perkins  
President  
Family Research Council