



The Justice Foundation

Advancing Life, Liberty, and Justice

October 23, 2012

Received & Inspected

VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED

Office of the Secretary
Federal Communications Commission
Attention: Disability Rights Office, Room 3-B431
9300 East Hampton Drive
Capitol Heights, MD 20743

OCT 26 2012

FCC Mail Room

RE: Case Identifier: CGB-CC-0572
Faces Of Abortion Television Show
Supplement to Petition for Exemption for Closed Captioning

Gentlemen:

On behalf of The Justice Foundation, a religious, faith-based 501(c) 3 non-profit, I would like to supplement our petition for an exemption pursuant to your letter of September 26, 2012, because it would be economically burdensome. All previous data and requests are incorporated by reference. I submit the following in support of my request:

The Justice Foundation is the producer of the television show "*Faces of Abortion*" a thirty minute program which airs weekly on Sky Angel network. The Justice Foundation receives free airtime for this show and does not pay to air the show. Because we have had no money to redo the program the past two years, we have simply re-aired **all** shows. We have not even done new shows.

Supplemental Data

- a) Pursuant to your request, we are attaching our income and loss statement with expense categories and our balance sheet of 2011. Please note that our income dropped from \$804,110 in 2006, \$738,065 in 2010, to approximately 317,752.91 in 2011. (Our statements attached are officially from our accountants but have not been audited or prepared for final tax submission. There may be slight changes due to accounting procedures later.)
- b) A letter requesting assistance in funding or services to do closed captioning from our video programming distributor, which they denied, as they have indicated in the past verbally.
- c) As a religious based organization, we also assert our First Amendment right not to be required to expend these funds as directed by the government. While the government motives may be appropriate, they are certainly not legally "compelling" reasons.

The Justice Foundation is a non-profit, 501(c) (3) organization.

- d) Our finances have declined substantially since we were first granted an exemption for undue burden by your department. Thus, it hardly seems appropriate to deny our exemption with less money.

For these reasons and those in the previously filed request for exemption, The Justice Foundation requests an exemption.

Thank you for your kind attention to this matter.

Very Truly Yours,



Allan E. Parker, Jr.
President

Enclosures

P.S. Please file-stamp a copy of this application and return it to us in the enclosed stamped, self-addressed envelope.

Served by U.S. Mail and Via Email to captioningexemption@fcc.gov.

THE STATE OF TEXAS

COUNTY OF BEXAR

Before me, the undersigned authority, on this day personally appeared ALLAN E. PARKER, who, after being by me duly sworn, upon oath stated as follows:

“My name is Allan E. Parker and I am the President of The Justice Foundation, a 501 (c) 3 non-profit organization.”

“Based on my personal knowledge, information and belief, the facts stated in this request and supplemental data are true and correct, to the best of my knowledge.”

“I have personal knowledge that our television show “*Faces of Abortion*” was produced at substantially very little cost to us. The use of cameras, studios, and time of guests were all mostly donated to The Justice Foundation, or at far below market value. It would be economically burdensome to The Justice Foundation to pay for close captioning of said programs. The facts stated in this letter are true and correct.”

“In fact, since 2008 our overall budget as an organization has declined substantially since our previous exemption was granted, so we are financially less able to close caption than we were under the government first said we were exempt.”

The Justice Foundation is a non-profit, 501(c) (3) organization.

SIGNED this the 22 day of October, 2012.

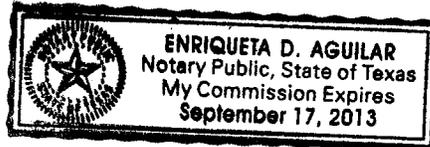


Allan E. Parker

SUBSCRIBED AND SWORN TO BEFORE ME, this the 22^o day of October, 2012.



NOTARY PUBLIC In and for
T E X A S .-



The Justice Foundation is a non-profit, 501(c) (3) organization.

The Justice Foundation | 7210 Louis Pasteur Drive, Suite 200 | San Antonio, Texas 78229 | 210-614-7157 | 210-614-6656 fax
info@txjf.org | www.thejusticefoundation.org | www.operationoutcry.org

Queta Aguilar

From: Amy Derrick <Amy.Derrick@SkyAngel.com>
Sent: Friday, October 19, 2012 1:43 PM
To: Allan Parker
Subject: FW: Faces of Abortion on Sky Angel

Hello, Allan!

As you can see from the email below from my assistant vice-president of programming, this is not a service we can provide for our programmers.

If you have any questions, please feel free to ask. Have a blessed day and weekend!

Amy "Lis" Derrick
Angel One Traffic Coordinator
Sky Angel
4922 La Collina Way
Ooltewah, TN 37363
423-396-8111
www.skyangel.com

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From: Jacqueline Gallup
Sent: Friday, October 19, 2012 2:36 PM
To: Amy Derrick
Subject: RE: Faces of Abortion on Sky Angel

Unfortunately, this is not a service we provide for our programmers.

JACQUELINE GALLUP | *assistant vice president of programming*
FAVE | 4922 La Collina Way Ooltewah, TN 37363 | w: 423 396 8110

From: Amy Derrick
Sent: Friday, October 19, 2012 2:34 PM
To: Jacqueline Gallup
Subject: FW: Faces of Abortion on Sky Angel

Hey, Jacque!

Please see the email below from Faces of Abortion.

Amy "Lis" Derrick
Angel One Traffic Coordinator

Sky Angel
4922 La Collina Way
Ooltewah, TN 37363
423-396-8111
www.skyangel.com

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From: Allan Parker [mailto:aparker@txjf.org]
Sent: Friday, October 19, 2012 2:30 PM
To: Amy Derrick
Subject: RE: Faces of Abortion on Sky Angel

Dear Lis,

Is it possible for the Sky Angel Network to assist us in providing closed captioning through either funding or services? Attached is a quote that shows 26 episodes would cost \$5,891.60.

Thanks,

Allan E. Parker
President
The Justice Foundation

The Justice Foundation
Income Statement
For the Twelve Months Ending December 31, 2011

	<u>December</u>	<u>YTD</u>
Income		
Contributions - General	\$36,220.00	\$317,752.91
Contributions - Restricted	13,925.00	65,575.00
Contributions - Special Events	0.00	100.00
Contributions - TJF Missionaries	390.00	2,940.00
Contributions - Project Liberty	0.00	160.00
Total Income	<u>50,535.00</u>	<u>386,527.91</u>
Operating Expenses		
Salaries and Wages	16,661.53	192,940.55
Salaries used for Attorney's Fees	(10,000.00)	(10,000.00)
Payroll Taxes	993.96	14,171.00
Employee Insurance Expense	3,981.65	14,586.99
Bank Charges	2,614.85	2,614.85
Charitable Contributions	10,250.00	12,725.00
Conference Expense	(40.00)	1,625.65
Contract Labor	(1,735.00)	23,700.00
Credit Card Processing Fees	0.12	1,253.51
Depreciation Expense	65.08	464.97
Dues, Subscriptions and Membership	102.50	738.30
Equipment Rental	1,117.85	5,354.98
Fundraising - General	0.00	(100.00)
Fundraising - Meals and Entertainment	0.00	69.03
Gifts	0.00	194.64
Late Fees and Finance Charges	104.35	1,886.79
Legal and Accounting	0.00	1,550.00
Legal Case Expense	0.00	78.88
Lobbying Expense	(10,000.00)	0.00
Meals and Entertainment	76.81	370.72
Media Services	(393.50)	205.00
Miscellaneous Expense	0.00	(0.20)
Moving Expenses	2,125.00	2,444.99
Office Expense	1,756.97	6,741.64
Operation Outcry - Conference Expense	0.00	625.00
Operation Outcry - Media	2,633.50	7,828.50
Operation Outcry - Office Expense	0.00	239.45
Operation Outcry - Travel and Lodging	298.14	298.14
Operation Outcry - 3PV	36.00	285.00
Overnight Charges	104.99	346.11
Payroll Service Fees	741.01	1,146.46
Postage, Freight and Shipping	60.99	1,036.99
Project Liberty - Adversing/Media	0.00	140.00
Relocation Expense	716.00	716.00
Rent - Advanced Services	259.55	906.35
Rent - Ashford Building	0.00	44,035.88
Rent - Louis Pasteur	7,500.00	7,500.00
Repair and Maintenance	420.00	782.50
Restricted Fund Expense	0.00	39,350.00
Restricted Fund - Lobbying	13,000.00	13,000.00
Special Events - General	557.50	660.00
Tax and License	112.45	112.45
Telephone Expense	323.90	5,148.40
Travel - Airfare	25.00	2,771.61
Travel - Auto Mileage	1,440.31	4,548.81
Travel - Auto Rental	0.00	307.36
Travel - Lodging	0.00	3,002.41
Travel - Meals	110.93	1,562.21
Travel - Parking, Cabs and Miscellaneous	74.50	667.83
Travel - Fuel	48.60	48.60
Utilities	107.87	795.16
Webpage Expense	78.00	1,648.88
Total Operating Expenses	<u>46,331.41</u>	<u>413,127.39</u>
Income (Loss) from Operations	<u>4,203.59</u>	<u>(26,599.48)</u>
Other Income / Expenses		
Interest and Dividend Income	42.97	43.42
Gain (Loss) on Sale of Assets	0.00	(239.12)
Total Other Income / Expenses	<u>42.97</u>	<u>(195.70)</u>
NET INCOME (LOSS)	<u>\$4,246.56</u>	<u>(\$26,795.18)</u>

**The Justice Foundation
Balance Sheet
For the Twelve Months Ending December 31, 2011**

ASSETS

CURRENT ASSETS		
Cash - Operating	\$6,068.38	
Cash - Escrow (Unrestricted Funds)	11,301.22	
Cash - Escrow (Restricted Funds)	16,125.00	
Cash - Byron Trotter Memorial Scholarship Fund	1,270.99	
Cash - TD Ameritrade	0.02	
Accounts Receivable - Employee	0.00	
Securities - B. Trotter Memorial Scholarship Fund	<u>6,438.84</u>	
Total Current Assets		41,204.45
FIXED ASSETS		
Furniture and Fixtures	5,151.00	
Office Equipment	34,631.10	
Accumulated Depreciation	<u>(39,315.58)</u>	
Total Fixed Assets		466.52
OTHER ASSETS		
		<u> </u>
TOTAL ASSETS		<u><u>\$41,670.97</u></u>

LIABILITIES AND FUND BALANCE

CURRENT LIABILITIES		
Accounts Payable - Trade	29,421.97	
Medicare Payable	0.00	
TEC Payable	<u>0.00</u>	
Total Current Liabilities		29,421.97
LONG-TERM LIABILITIES		
		<u> </u>
FUND BALANCE		
Fund Balance - Prior Period	39,044.18	
Fund Balance - Current	<u>(26,795.18)</u>	
Total Fund Balance		<u>12,249.00</u>
TOTAL LIABILITIES AND FUND BALANCE		<u><u>\$41,670.97</u></u>

NOT FOR THIRD PARTY ISSUANCE. THESE FINANCIALS WERE NOT PREPARED BY A PUBLIC ACCOUNTING FIRM.

05/17/12
04:14 PM