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September 12, 2011

Your Eminences/Excellencies:

It has come to my attention indirectly that my Ordinary, Most Reverend Patrick Zurek, Bishop of Amarillo, wrote to you last week regarding me and Priests for Life.

Because of the love and fidelity that all of us at Priests for Life have for the Church and its hierarchy, I have prepared the following response which I hope will address some of the bishop's concerns. Also included here is a letter from our chief canonist, Fr. David Deibel, written on behalf of our Board of Directors. Please be assured at the outset that I am committed to *full compliance* with my bishop's requests and directives and have already indicated the same to him—prior to his sending his letter to all the Bishops of the U.S. At the same time, please be informed that I am utilizing appropriate recourse to Rome for those aspects of the situation that cannot be resolved locally.

I do not wish to impose upon your time with these matters; on the other hand, since my Ordinary brought these matters to your attention, it is necessary for me to ask you to incorporate this further information in your understanding of those same matters.

Priests for Life is an international Association of the Faithful. There are four other priests besides myself who are assigned to this ministry full-time and three others part time, and another 55 full-time employees. We have an active Board of Directors as well as an Advisory Board of twenty-one bishops, and ministries operating in dozens of countries. We are the largest ministry in the Catholic Church focused exclusively on ending abortion and euthanasia.

We operate a dozen ministries under our umbrella, including Rachel's Vineyard (the world's largest ministry of healing after abortion, and a ministry used by many dioceses), the Silent No More Awareness Campaign, African-American Outreach (under the leadership of Dr. Alveda King), Deacons for Life, Seminarians for Life, the Parliamentary Network for Critical Issues, Youth Outreach, Hispanic Outreach, and much more.

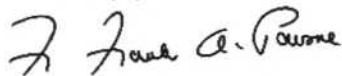
Bishop Zurek is my Ordinary, but he is not the bishop of Priests for Life. Many of you know our ministry much better than he does.

Unlike other organizations, which have sometimes been critical of the Church hierarchy or other institutions within the Church, Priests for Life has always remained

100% supportive of the Bishops, never criticizing any Church official, and always acting as a megaphone for the Bishops' pro-life statements. Moreover, we serve dioceses and their priests and laity without asking for any speakers' fees, and distribute millions of pieces of pro-life literature to dioceses completely free of charge. We do not seek parish collections, and we work to reinforce in each diocese the local pastoral plan which the bishop wants to implement for pro-life activities.

Be assured that we are committed to going forward with that same spirit, and to trying our best to work out any and all disagreements with Bishop Zurek. It is with that intention that I offer you the enclosed material. Thank you in advance for taking a few moments to read it.

Sincerely yours in Christ,

A handwritten signature in dark ink, appearing to read "Frank A. Pavone". The signature is written in a cursive, somewhat stylized script.

Reverend Frank Pavone

My personal finances and the finances of the Priests for Life association

At the outset I would like to make the observation that I do not receive any salary or financial remuneration from either the Diocese of Amarillo or from Priests for Life. While Priests for Life, as a Private Association of the Christian Faithful, does provide for my residence and the expenses associated with the ministry (which are very small), they are responsible for the administration of their goods and assets in accord with the provision of canon 325 of the Code of Canon Law.

The statement that I have "consistently refused to subject Priests for Life to a complete and transparent auditing of all expenses" is completely false. Priests for Life has provided the diocese of Amarillo with full and complete annual audits of the finances of the Association every year since I have been incardinated in Amarillo, and copies have also been shared with the Most Reverend Timothy M. Dolan, Archbishop of New York, in whose Archdiocese the offices of Priests for Life are located, as well as the entire Episcopal Board of Advisors of Priests for Life (some twenty-one Bishops, Archbishops and Cardinals).

In fact it has been our practice to have annual independent audits done *for each year in the past decade*. Since 1998, our organization has continually utilized national, regional and local CPA firms to provide services ranging from monthly accounting, write-up and closing services to annual audit and tax return preparation. In addition, these firms have provided assistance to introduce "best practices" whenever possible. (I would like to point out that according to the American Institute of Philanthropy's guidelines for charities, Priests for Life falls within their recommended ratio on costs v. programs.) Since the practice of commissioning annual audits were first begun at the organization, these examinations have resulted in "clean opinions" regarding both consistency and

compliance with generally accepted accounting principles. In addition, management letters issued in connection with the audits have not identified significant deficiencies or material weaknesses in the organization's internal control processes or procedures.

I would like to point out that these are standard audits which follow Generally Accepted Accounting Principles (GAP). Prior to the beginning of our annual audit examination, we receive an engagement letter from the firm and agree to the respective responsibilities of both parties. The scope of the actual audit is determined by the auditors after reviewing the controls and procedures in place and discussing the year's activities with our staff. The structure and content of the audit report follows the dictates and recommendations of the accounting profession. One of the primary objectives of the annual audit is to provide accurate information in a transparent manner to all of our stakeholders.

Our current auditing firm is highly respected, especially in the not-for-profit field. In the past, Priests for Life has utilized auditing firms for varying periods of time and has made changes based on individual recommendations, on pricing considerations, and on ecclesiastical advice that our most recent audits should be done by a firm different from those we have used in the past. These firms have ranged in size from those included in the 'Big Eight' grouping (e.g., KPMG) to regional, mid-size and small firms. Our current auditor, Brooks & Associates, LLC, was introduced to us two years ago by one of our financial advisors who was familiar with their reputation and work in the Washington, DC area. Brooks & Associates provides a wide spectrum of accounting, auditing and financial services to both commercial and government clients. Brooks & Associates is certified as an 8(a) contractor. This classification provides opportunities to team with several of the larger more sophisticated accounting and consulting firms, such as Bearing Point, Ernst & Young and PricewaterhouseCoopers. The firm has assisted over 25 Federal agencies in providing practical solutions to complex accounting, audit, and financial reporting issues. Additionally, B&A provides training to Federal employees and contractors nationwide. These courses include instruction in financial reporting, the U.S. General Ledger, and Generally Accepted Accounting Principles issued by the Federal Accounting Standards Advisory Board (FASAB). B&A teaches on behalf of the Department of Treasury – Financial Management Services and The Graduate School, USDA. The firm also provides customized training to Federal agencies, individuals, and accounting firms. A partial list of past federal clients of Brooks & Associates follows:

- U. S. Department Of Homeland Security – U. S. Coast Guard
- Defense Finance & Accounting Services (DFAS)
- Defense Logistics Agency
- U.S. Housing Urban Development
- U.S. Department of Interior – Bureau of Indian Affairs
- U.S. Department of Transportation – Federal Highway Administration
- U.S. Department of Transportation – Federal Transit Administration
- National Aeronautical & Space Administration
- U.S. Office of Personnel Management
- U.S. Department of Treasury – Financial Management Services
- U.S. Department of Treasury – Office of Chief Financial Officer

- U.S. Department Of Commerce – Bureau of Census/National Institute Standards & Technology
- U.S. Department Of Agriculture – National Finance Center/Office of Chief Financial Officer
- Department of Defense – Washington Headquarters ServicesGraduate School – USDA

Beyond annual independent audits, we have provided the diocese of Amarillo with an extraordinary number of documents, and yet, we have never once received so much as an acknowledgement. We do not presume any ill-will here; we may just be dealing with “cultural” differences. But the result has been frustrating to all of us. To assure you of our commitment to transparency, I am providing below a *partial* list of the information we have provided to the Amarillo diocese since I have been incardinated there. You will see that it is a significant amount of information. You will also note the level of detail provided goes far beyond what is normally asked or provided. (Priests for Life has even provided the diocese with its entire check register when it was requested of us.) Despite the fact that we are in effect an international association and have at this point *neither operations nor buildings nor staff in the Diocese of Amarillo*, we have provided answers to every question ever posed to us, as well as all back-up data and documentation, in order to be totally transparent. We have mailed, emailed, and fedexed such documentation, in some cases—three, four and five times. We have also made several offers for our accountants and legal representatives to speak with the accountants of the diocese, in order to better answer any questions they might have. To date, we have received no response.

I would like to reiterate that at present, we are aware of no financial question that the diocese of Amarillo may have, which has not been fully answered.

Moreover, in my meeting Bishop Zurek this past Holy Week, in the presence of the Vicar for Clergy of the diocese, I asked the Bishop more than once and very explicitly if he had any further unanswered questions about any of these financial matters. He indicated none whatsoever.

Documentation Provided by Priests for Life to the Diocese of Amarillo

- 2005 Independent Financial Audit
- 2005 Form 990
- 2006 1st Quarter Financials
- 2006 2nd Quarter Financials
- 2006 3rd Quarter Financials
- 2006 4th Quarter Financials
- 2006 Annual Finance Report
- 2006 Independent Financial Audit
- 2006 Form 990
- 2007 1st Quarter Financials
- 2007 2nd Quarter Financials

- 2007 3rd Quarter Financials
- 2007 4th Quarter Financials
- 2007 Annual Finance Report
- 2007 Annual Financial Statements, including P&L, Balance Sheet, List of Functional Expenses, Trial Balance
- 2007 Form 990
- Itemized List and receipts all MEV/Amarillo Expenditures made by Priests for Life in fiscal years 2005, 2006, 2007, 2008 (sent on *fifteen* 15 separate occasions)
- Chart of Accounts, 2007
- Entire Check Registry of Priests for Life 2007
- Budget and Budget vs. Actual 2007
- 2008 All monthly financial statements- January- December
- Rachel's Vineyard 2006 and 2007 Financial Statements
- Original and Current Priests for Life Bylaws and Articles of Incorporation
- Copy of Archbishop Quinn's original 1991 letter recognizing our status as a private association of the Christian faithful (sent at least 4 times)
- List and Contact info of Priests for Life Board of Directors
- List of Priests for Life key employees and their Compensation
- Memo on Compensation Determination procedure
- Priests for Life Organizational Flow Chart
- Priests for Life Consultants Chart and Explanation
- Priests for Life "Related Organization" Chart and Explanation
- Priests for Life policy regarding Restricted Donations
- Report on Fr. Frank's Compensation (Fr. Frank receives no salary from Priests for Life or any Priests for Life-related entity)
- Priests for Life Budget and Expense Authorization Procedure
- 2007 Independent Financial Audit
- 2008 Independent Financial Audit
- *Third* Memo on Fr. Frank's Compensation
- 2009 Annual Financial Statements, including P&L, Balance Sheet, List of Functional Expenses and Trial Balance
- 2010 1st Quarter Financials
- Memo answering Bishop's questions on 2010 Financials regarding Priests for Life Income.
- Rachel's Vineyard Financials 2008 and 2009
- 2010 Independent Annual Audit

My obedience

The Bishop of Amarillo has stated in his letter that my "fame" has caused me to become gradually more disobedient to him and that I now have a "reductionist attitude towards diocesan priesthood" and give "supreme importance" to my ministry with Priests for Life.

I would respectfully make the observation that the reason I excardinated from the Archdiocese of New York in the first place was precisely because the previous Bishop of Amarillo was committed to allowing me to exercise *full-time ministry* within the pro-life movement, and, in fact, to form a community to allow others to live that same commitment. If it were not for his willingness to allow me to do full-time work in the pro-life movement, I would *not* have incardinated into the Diocese of Amarillo in the first place. Nor did the process of incardination in any way include a period of preparation for such ministry to the people of Amarillo or a time to get to know the presbyterate. It was done hastily, and only for one reason: so that I could be incardinated into the Missionaries of the Gospel of Life, from which position I could do *full-time pro-life work permanently*. In fact, in the ceremony in which Bishop John Yanta did incardinate me into that Society, I made public promises to the Lord to live out my vocation in full-time service to save my unborn brothers and sisters. That commitment has not gone away; that intention of my heart has not changed, and that ministry is in no way contradictory to a proper appreciation of and fidelity to the meaning of priesthood. I have repeatedly asked the present Bishop of Amarillo to meet with me about this profoundly important vocational issue, and yet he have refused to even acknowledge my requests.

The Bishop's letter references my relationship with previous Ordinaries as evidence of my inclination towards "disobedience." In the spirit of total transparency, I would like to acknowledge that any differences with previous Ordinaries had to do with precisely this point-- my desire to work full-time in pro-life ministry. I want to make this point quite strenuously: I was *not* disobedient to any of my previous Ordinaries. It is true that when I was a priest of the Archdiocese of New York, I exercised my rights under canon law to seek to leave that Archdiocese and incardinate in a place where I would be allowed to devote all my energies and gifts to the pro-life cause. But while doing that, I was given a parish assignment and I both accepted it and carried it out. I acted *at all times* in full obedience to my Ordinary.

I would also point out that I have never disregarded Bishop Zurek's requests that I return to the Diocese of Amarillo for the purpose of offering pastoral ministry. Rather, I have sent him *several letters* in which I have assured him of my obedience, my willingness to abide by his demand, and my filial request that we discuss the ministry to which I have dedicated myself for so many years with the approval of my ordaining bishop (Cardinal John O'Connor) and his predecessor. Moreover, Bishop Zurek has, since arriving in Amarillo, likewise given me his permission to exercise this pro-life ministry.

I have also pointed out in my letters to him that, in attempting to comply with his directive to be in the diocese of Amarillo during certain specific months of the year, it was necessary professionally for me to honor longstanding pro-life commitments made in good faith and with the approbation of ecclesiastical authority. In those letters, I have asked to meet with him personally or with his representative to work out a schedule acceptable to him which would allow me to keep those longstanding commitments while also permitting me to be in the diocese for times that he desired. In all but one instance, no communication from him was forthcoming. The only response was a letter accusing

me of disobedience, evidencing no acknowledgment of either correspondence from me or conversations had in person with him and witnessed by others.

Conclusion

I have formally petitioned Bishop Zurek to rescind his directive suspending my priestly ministry outside of the Diocese of Amarillo for an indefinite period, and am asking that he permit me to continue my work with Priests for Life and honor the commitment that the previous Bishop of Amarillo made in my regard.

I want to point out that *under the law as contained in the norm of canon 1353, the effects of Bishop Zurek's decree of September 6 are suspended by the law itself until the matter is resolved by hierarchical recourse.* In my formal petition for reconsideration, I have requested that Bishop Zurek notify you in writing of his acknowledgment both of my formal petition and of *the suspensive effect* of the law itself.

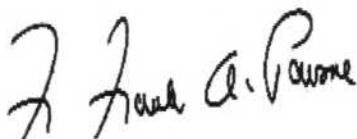
It is my sincere and profound hope that, in dutifully reporting to Amarillo on September 13, despite the suspension of the penalty contained in the Bishop's penal decree, we can resolve this matter through mutual dialogue and that it will not become necessary for me to initiate a hierarchical recourse before the Congregation for the Clergy.

One of the reasons Priests for Life began and continues to grow is that there is a profound desire among the faithful to see the leadership of their priests in the pro-life ministry of the Church, and Priests for Life will continue to provide the encouragement, guidance, and tools for the priests do exercise such leadership, in union with their bishops.

Moreover, it is impossible for me to believe that there would be no place in the Church for priests to exercise full-time ministry in the service of the unborn. We do it for the sick, the poor, the hungry, and the imprisoned. But where in the Church is the place where a priest can exercise the same kind of full-time ministry for the children in the womb? That is the question that is at the heart of my own calling, and I welcome your help in answering it.

Finally, may I stress once again that Priests for Life is an open book. Come and visit our headquarters, examine our website, scrutinize our financial audits, consult with leaders in the pro-life movement and the bishops on our advisory board. You will see that we are motivated by one thing, namely, to fully activate the Church to bring an end to abortion and euthanasia. And we thank you for your own leadership toward that same goal.

Be assured of our prayers!

A handwritten signature in dark ink, appearing to read "Fr. Frank Pavone". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Fr Frank Pavone