

Chaplain Klingenschmitt
PO Box 9226
Norfolk, VA 23505
30 Oct 06

Senators Warner and Inhofe,
Congressmen Hunter, Jones, and Reynolds
Washington DC 20501

Dear Sirs,

Although your conference report to the 2007 Defense Authorization Bill has already been signed by the President, and the conferees directed the Secretary of the Navy to rescind his illegal prayer policy (SECNAVINST 1730.7C), you may be surprised that Navy lawyers are still defending that policy in federal court today.

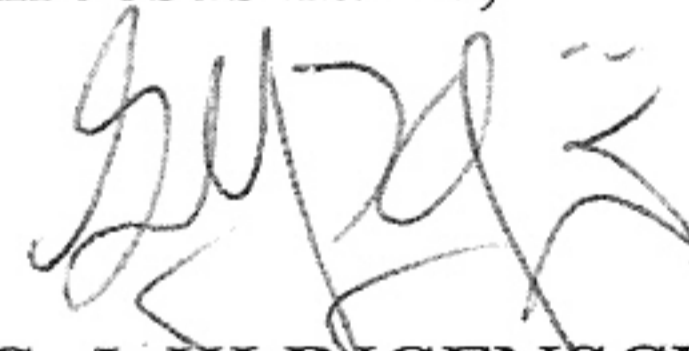
Today Navy lawyers argued before a federal judge, The Honorable Henry H. Kennedy, in Courtroom 27A of the DC District Court, (Klingenschmitt vs. Winter), that Chaplain Klingenschmitt *should be immediately separated from the Navy* because he violated SECNAVINST 1730.7C. Why is the Navy still enforcing this policy, defending it in federal court as the reason to kick me out, when it's been rescinded by Congress?

Attached is my letter to Secretary Rumsfeld, asking him to keep the promise he made to Senator Warner, and "not enforce" that policy, and "hold in abeyance" that policy, and "rescind" that policy, a promise which apparently he has failed to keep.

Also attached is a letter from Dr. D. James Kennedy, with 50,000+ petition signatures to "save Chaplain Klingenschmitt" from punishment for praying in Jesus name in uniform.

Will you please call Secretary Rumsfeld, and ask him to respond (favorably) to my letter dated 22 Sep 06, attached? God Bless you sir,

In Jesus name,



G. J. KLINGENSCHMITT

Attachment:

1. Klingenschmitt's letter to SECDEF, 22 Sep 06
2. Kennedy's letter to Senator Inhofe, 7 Sep 06

22 Sep 06

From: Chaplain Gordon James Klingenschmitt, LT, CHC, USN
To: The Secretary of Defense, The Honorable Donald H. Rumsfeld

Subj: YOUR PROMISE TO SENATOR WARNER, TO RESCIND SECNAVINST 1730.7C

1. Mr. Secretary, respectfully request a copy of your written order (keeping the verbal promise you made to Senator Warner), issued to all Navy and Air Force Commanders to "not enforce" and "hold in abeyance" any new (illegal) policies (especially Atch 1, SECNAVINST 1730.7C, dated 21 Feb 06) which requires "non-sectarian" prayers by chaplains outside of Sunday chapel.

2. I'm that Navy chaplain wrongly convicted at court-martial for disobeying a supposedly "lawful" order to stop wearing my uniform when "worshipping in public" outside Sunday chapel, and stop praying "in Jesus name" in uniform, if media, press, or TV cameras might be present to hear me pray.

3. All parties agree I had prior written permission to wear my uniform during "public worship" or during a "religious observance." All eyewitnesses testified that on 30 Mar 06 I wore my uniform outside the White House, and that I only said prayers, refusing to make political speeches or answer any media questions until I later changed into civilian clothes.

4. To convict me, however, the court-martial Judge CDR Lewis Booker ruled that my prayers were "not a religious observance" and "not public worship" based upon the new SECNAVINST 1730.7C which recently re-defined "religious observance" (as only safe on holy days) and narrowly defined "public worship" (as only safe inside of Sunday chapel). He based the largest part of his ruling on the supposed "lawfulness" of the order I allegedly disobeyed on the (illegal) new SECNAVINST 1730.7C. Judge Booker wrote (Atch 2): **"Much of the weakness of LT Klingenschmitt's argument is his insistence on reading 'public worship' as that term is used in Section 6031 of title 10, United States Code, and the current Religious Ministries instruction, to mean the same thing as 'worship in public.' It is clear, however, from testimony offered by two chaplains and from the Religious Ministries instruction (SECNAVINST 1730.7C), that 'public worship' is a term of art: it describes a combination of setting, teaching, and interpretation that constitutes a 'divine service.' One who reads a biblical verse or who recites a prayer at The Speaker's Corner in Hyde Park is not engaged in 'public worship,' although he may be worshipping in public."** Public prayer isn't public worship? Judge Booker agreed I could wear the uniform at "public worship" but then criminalized my wearing the uniform because I was "worshipping in public." Huh?

5. He's breaking the law. Since 1860 federal law had protected chaplain's prayers (especially while wearing the uniform) in all settings everywhere, legislating: "An officer in the chaplain corps may conduct PUBLIC WORSHIP according to the manner and forms of the church of which he is a member." But on 21 Feb 06, SECNAVINST 1730.7C narrowly re-defined "public worship" as only safe in "divine services" in Sunday chapel. Since I wore my uniform to pray in Jesus name on Thursday outside the chapel, the judge improperly enforced the illegal SECNAVINST 1730.7C to rule my prayers were "not public worship" and therefore "not a religious observance."

6. But on 19 Sep 06 Senator Warner revealed your promise to him on the floor of the Senate, saying **"The Secretary of Defense will stay--that means hold in abeyance--enforcement of these newly promulgated regulations until such time as the Congress has had an opportunity to hold its hearings.....I am**

basically assured by the Department of Defense that they will comply; stay for the time being the most recent regulations, whatever they wish to call them, that have been sent out to their respective commands until Congress has had a reasonable time within which to decide whether they feel it is necessary to prepare for the President's signature a new law. Mr. President, I ask unanimous consent that additional materials regarding this subject be printed in the RECORD. There being no objection, the material was ordered to be printed in the RECORD, as follows: Department of the Navy SECNAV INSTRUCTION 1730.7C."

7. Mr. Secretary, did you give your word to Senator Warner? I now rely upon your promise to "not enforce" SECNAVINST 1730.7C and to "hold in abeyance" any enforcement of that (illegal) instruction. However, having been convicted of disobeying "lawful" orders based on policy you now admit must be "not enforced" it appears SECDEF must also disagree with the "lawfulness" of the order I allegedly disobeyed, or at least you've made a solemn promise to Chairman Warner of SASC to "not enforce" that same illegal policy upon which basis my commander's order is now criminally enforced against me. Without the bad policy, 10 USC 6031 overrides my commander's order, fully protecting my right to conduct "public worship" in uniform, even outside Sunday chapel.

8. Therefore I respectfully request you write a letter to the Commander, Navy Region Mid-Atlantic (Rear Admiral Ruehe), ordering him to "not enforce" the SECNAVINST 1730.7C in the case of Chaplain Klingenschmitt, and therefore direct Adm. Ruehe to "hold in abeyance" the improper ruling of my military judge on the lawfulness of the order, (since it relied upon that same illegal policy which is now rescinded), until Congress holds hearings on the issue.

9. I eagerly await your letter, and your written keeping of this verbal promise you made to Senator Warner. I also request a copy of the other guidance you must now transmit to all Navy and Air Force Commanders, directing them to "not enforce" any recent (illegal) guidance which requires "non-sectarian" prayers. Atch 3 proves the U.S. Supreme Court already ruled against enforcing "non-sectarian" prayers, which violates the 1st Amendment.

10. Please reply to: LT Klingenschmitt, PO Box 9226, Norfolk VA 23505, (719) 360-5132, chaplaingate@yahoo.com, & read more at www.persuade.tv

With utmost respect,



G. J. KLINGENSCHMITT
LT, CHC, USNR

cc: The President
Senator Warner
Congressman Reynolds
DoD Inspector General
ASN (M&RA)
CNIC Equal Opportunity
RDML Ruehe (via Commander, Naval Station Norfolk)



D. James Kennedy, Ph.D.
President and Speaker

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September 7, 2006

The Honorable James M. Inhofe
453 Russell Senate Office Building
Washington, DC 20510-3603

Dear Sen. Inhofe:

Warm greetings from Fort Lauderdale.

I am grateful for your unswerving support for the moral tradition that made America great.

Our nation's moral heritage includes—from its earliest days—a reliance on the spiritual support and guidance supplied by military chaplains. Today, however, I believe the role of military chaplains is under assault, due to recent policies adopted by the Navy and Air Force. These policies subordinate the religious liberty of chaplains to current demand for pluralistic inclusiveness.

US Code Title 10 Section 6031 says, "An officer in the Chaplain Corps may conduct public worship according to the manner and forms of the church of which he is a member." However, a February 21, 2006, Navy policy requires that, "Religious elements for a command function, absent extraordinary circumstances, should be non-sectarian in nature." Air Force guidelines issued in February likewise state that "nondenominational, inclusive prayer or a moment of silence may be appropriate for military ceremonies."

These policies shrink religious liberty—they are a concession to political correctness—and in violation of federal law. Navy and Air Force commanders should not be charged with monitoring and censoring the prayers of chaplains to insure their nonsectarian character.

This is a matter of great concern to my audience and me. The demand that chaplains refrain from praying in the name of Jesus Christ is an outrage. It requires Christian ministers to, in effect, deny Christ in order to satisfy the demands of this illegitimate policy.

GLORIFYING GOD
PROCLAIMING TRUTH
RECLAIMING AMERICA

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The court-martial of Navy Chaplain Gordon James Klingenschmitt, with which you are quite familiar, is a disturbing demonstration of how religious liberty is being suppressed in the chaplaincy corps.

We at Coral Ridge Ministries have brought this matter to the attention of our national television audience and have forwarded more than 50,000 names on a petition asking President Bush to issue an executive order granting chaplains the liberty to pray according to the "manner and forms of the church of which he is a member."

Thank you for what you have done on behalf of Chaplain Klingenschmitt and for the religious liberty of military chaplains.

Please let me know if we may be of further assistance to you in this regard.

Sincerely,

D. James Kennedy, Ph.D.
President