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June 24, 2005

The Honorable Gordon R. England
Secretary of the Navy
1000 Navy Pentagon
Washington, DC 20350-1000

Dear Mr. Secretary:

We recently were contacted by U.S. Navy Chaplain Lieutenant Gordon James Klingenschmitt ("Chaplain") concerning allegations that the Navy disciplined him for advocating religious accommodation and freedom of conscience on behalf of enlisted sailors. Specifically, the Chaplain states that during his tour of duty aboard the U.S.S. Anzio, its commanding officer, Captain Carr, issued a letter of instruction and a negative recommendation to him which directly affects the renewal of his employment contract. Captain Carr ultimately relieved him of duty.

The Anti-Defamation League (ADL) is specifically concerned with two issues that were cited in the letter of instruction and negative recommendation: the Chaplain's efforts to secure kosher rations for an observant Jewish sailor, and his opposition to a mandatory service during the 2004 Fleet Week event.

According to the Chaplain, Navy regulations authorize religious accommodations for food rations. In late 2003, based on these regulations, he requested that a Jewish sailor receive Kosher meals while at sea. The Chaplain made this request on behalf of the sailor to a captain at Chaplain Headquarters and to a rabbi Chaplain. Although the Chaplain reports that these officials and the Anzio's 04-supply officer authorized the Kosher meals, a successor captain at Chaplain HQ and Captain Carr later accused him of advocating for the Jewish sailor without permission.

The Chaplain maintains that this accusation gave headquarters an incorrect impression of "unrest or dissatisfaction" with the Anzio, and required the Jewish sailor to undergo a sincerity of belief test. The sailor was eventually given one daily Kosher meal. However, the Chaplain reports that an insufficient number of Kosher meals were stocked aboard the Anzio, causing the sailor significant weight loss.

During Fleet Week 2004 in New York City, Chaplain Klingenschmitt alleges that all chaplains and executive officers in the Anzio's battle group were instructed by a senior chaplain to direct a certain number of sailors to attend a church service at the Marble Church. According to Chaplain Klingenschmitt, the Anzio was required

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to provide twenty sailors. Because the religious beliefs of the Marble Church apparently conflict with those of the Chaplain and some sailors of the Anzio, the Chaplain voiced opposition to a senior chaplain and Captain Carr about the mandatory church attendance. The Chaplain also suggested an alternative voluntary service in addition to the Marble Church service.¹

While we commend the Navy for recently initiating an investigation of the Chaplain's claims, we want to emphasize the troubling legal and practical implications of these allegations. First, if true, they reflect violations of, or gross insensitivity to, the religious free-exercise rights of Navy personnel. Second, disciplining a chaplain for supporting the free-exercise rights of military personnel will likely have a chilling effect on other chaplains who would take similar actions. It may also deter sailors from reporting instances of religious coercion, endorsement or discrimination. Consequently, we urge the Navy to investigate this matter thoroughly, and to take necessary remedial measures. Upon completion of the investigation, we request that the Navy inform ADL of its findings.

Sincerely,



Abraham H. Foxman
National Director

AHF/bl

¹ Although ADL is a leading proponent of diversity programming, as a long-time advocate for religious freedom, it respects the fundamental right of all Americans to practice the faith of their choosing or to abstain from religious observances.



Rabbi Jacob J. Greenberg
Congregation Beth Tikvah
Brooklyn South Hospital Chaplaincy
8800 Seaview Avenue
Brooklyn, New York 11236



21 June, 2005

bs"d

Chaplain Gordon James Klingenshmitt
P.O. Box 9226
Norfolk, Virginia 23505

Dear Chaplain,

It has come to my attention, through Rabbi David Lapp of the Jewish Welfare Board, and Colonel Jacob Goldstein of the NYARNG, that you were helpful to a young Jewish sailor on board your ship. I appreciate your intercession, for I know from personal experience that it is difficult to make exceptions in dealing with unexpected problems. I thank you for your good heart and your good intentions. I hope that the Command appreciates you, as well.

Sincerely yours,

Jacob J. Greenberg
Ch.(Col.) USAR ret.
Chairman, Military Chaplaincy Comm.
Rabbinical Council of America
Endorsing Agent

