

Navy chaplain fights discharge to last hour

By Eric Pfeiffer

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After a yearlong fight to overturn restrictions on prayer in the military, Navy chaplain Lt. Gordon James Klingenschmitt's career hangs in the balance while a federal appeals court decides his fate.

Yesterday was supposed to be the last day of Lt. Klingenschmitt's 15-year career after he was discharged for violating the military's prayer policy, which he has openly defied. However, the D.C. Circuit Court of Appeals agreed to hear Lt. Klingenschmitt's request for an emergency stay on his firing while he challenges the secretary of the Navy's ruling.

"The law is on our side," Lt. Klingenschmitt said, while adding that he was waiting until midnight last night before signing paperwork that would make his discharge official.

Lt. Klingenschmitt was stripped of his chaplain certification after being reprimanded for appearing in uniform at a press conference outside the White House last year. Lt. Klingenschmitt has fought to allow Navy chaplains of all faiths to hold services outside official military chapels.

Fellow sailors complained after Lt. Klingenschmitt conducted services for a deceased Navy officer outside what he calls the Navy's "unitarian program," which prohibited invoking the name of Jesus or other specific religious figures.

After a 2006 court-martial, Lt. Klingenschmitt then led a successful effort to have the ban on public sectarian prayer overturned. Before being overturned, the ban prevented military personnel from conducting public prayer in uniform outside of an official chapel or service.

Lt. Klingenschmitt has already been forced to leave his Navy housing facilities

and says he will lose a \$1 million Navy pension if the discharge goes forward.

"It was worth it. I would do it again," he said. "My sacrifice purchased their freedom."

Last year, the Senate specifically cited his case when they voted to overturn the Navy's prayer standards.

Yet despite a promise from former Secretary of Defense Donald H. Rumsfeld to dispose of his case under the new rule, Lt. Klingenschmitt is still being discharged.

"Rumsfeld failed to keep his promises to the Senate," he said. When asked why his discharge is still going forward, Lt. Klingenschmitt said, "The secretary of the Navy is still defending the policy in federal court."

Last month, U.S. District Judge Henry H. Kennedy Jr. denied Lt. Klingenschmitt's request for an injunction, according to papers obtained by The Washington Times. Yesterday, Lt. Klingenschmitt's attorney, William J. Farley, filed another injunction request with the District's U.S. Court of Appeals.

"I want him to be able to continue his military career until he is ready to be done," Mr. Farley said in a phone interview. "He prayed in the name of Jesus and is being punished for it."

Supporters of Lt. Klingenschmitt's effort have crafted an online petition that has received several thousand signatures and has been passed on to new Defense Secretary Robert M. Gates.

"We have delivered him a letter," Lt. Klingenschmitt said. "His office confirmed for us that the letter has been received and that Secretary Gates is making it a top priority."

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