

From: Christians for Life and Liberty <CCL@spiritcom.net>

To:

Date: 9/4/2018 4:59:14 PM

Subject: [Chaplain Klingenschmitt] Did Judge Kavanaugh rule against Navy Chaplains?

ri600Christians for Life and Liberty (CLL)
aka Columbia Christians for Life (CCL)
Columbia, South Carolina
September 4, 2018

Chaplain Klingenschmitt:

Did Judge Kavanaugh rule against Navy Chaplains?

Excerpt [emphasis in red in original below]:

"...Judge Kavanaugh ruled against Evangelical and Pentecostal Chaplains who pray in Jesus' name."

"The lawyer for 65 chaplains suing the Navy writes:

"His [Judge Kavanaugh's] decisions have protected [and favored] Catholics who statistics show have been the Navy's preferred denomination [over evangelicals and Pentecostals] ..."

"Judge Kavanaugh's other panels display a similar hostility to evangelicals and military personnel and fail to apply law and precedent even-handedly. ... denied a challenge to CHC promotion procedures that for 38 years produced consistently higher promotion rates for Catholic chaplains not explainable by chance when compared with plaintiffs' denominations; ..."

[edited]

ri600Subject: Did Judge Kavanaugh rule against Navy Chaplains?
From: Chaplain Klingenschmitt, PhD
To:
Date: Tue, 4 Sep 2018

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HOT PETITION! Repeal the 1954 Johnson Amendment and revoke the IRS's power to Tax Churches and Non-profits if they endorse political candidates. Please [select, sign, and WE WILL FAX your petition](#) to all 535 members of Congress (saving you time!)

[Did Judge Brett Kavanaugh rule against Navy Chaplains?](#)

Personally, I neither endorse nor oppose Judge Brett Kavanaugh for Supreme Court.

But this week, as Judge Kavanaugh faces the Senate Judiciary Committee, I received an alarming email from a lawyer

I know in DC who appeared 3 times before Judge Kavanaugh's courts, arguing for Navy Chaplains' religious freedom.

Unfortunately [Judge Kavanaugh ruled against Evangelical and Pentecostal Chaplains who pray in Jesus' name](#).

The lawyer for 65 chaplains suing the Navy writes:

"Judge Kavanaugh authored one opinion and his failure to dissent or concur signified his approval with the decision and its judicial philosophy in the other published opinion. Every decision has been a constitutional disaster that now has made it very difficult, almost impossible, for chaplains to challenge both subtle and overt religious preferences.

He has participated in changing well-established First Amendment and Establishment Clause precedent. His decisions are one reason the case is in the 19th year and we just lost on summary judgment despite evidence showing 38 years of denominational preference which included at least one Catholic with the power to destroy any candidate on every promotion board for 54 years.

"His decisions have protected [and [favored](#)] [Catholics](#) who statistics show have been the Navy's preferred denomination [\[over evangelicals and Pentecostals\]](#) until after we filed suit; he ignored a promotion voting procedure that allows one board member to anonymously destroy a promotion candidate's career, i.e., career

assassination with no accountability.

The ability of one chaplain board member to do so is documented by the Naval Inspector General and yet Judge Kavanaugh ignored it to dismiss our appeal..."

"Judge Kavanaugh's other panels display a similar hostility to evangelicals and military personnel and fail to apply law and precedent even-handedly. In re Navy Chaplaincy, 738 F.3d 425 (D.C. Cir. 2013), subsequently (1) changed the chaplains' denominational preference claim to a 'disparate treatment' claim they did not make which he then denied for failure to show specific intent to discriminate; (2) denied a challenge to CHC promotion procedures that for 38 years produced consistently higher promotion rates for Catholic chaplains not explainable by chance when compared with plaintiffs' denominations; (3) requires evidence of intent to prove a denominational preference claim; and (4) ignored evidence one selection board member anonymously voting 'zero' could and has destroyed chaplains career contrary to well-settled law."

Furthermore, my recent TV interview with Philip Jauregui of the Judicial Action Group confirms that some conservatives have

legitimate concerns

that cause them to oppose Kavanaugh.

Watch! Dr. Chaps' TV show with [Philip Jauregui against Judge Kavanaugh](#)-->

However my other dear friend Matt Barber, a conservative attorney with Christian Civil Rights Watch, believes Kavanaugh should be confirmed.

ri600Matt Barber supporting Judge Kavanaugh.

So there you have it, three lawyers, and three opinions about Kavanaugh. I don't fully know what to conclude.

Time will tell if Kavanaugh can be trusted.

If you feel more strongly than I do, one way or the other, call both of your U.S. Senators today at 202-225-3121 and voice your opinion.

Either way, let's petition Congress to let pastors preach freely on politics:

[SELECT HERE TO SIGN PETITION, demanding PULPIT FREEDOM for Pastors and Churches to freely endorse and oppose political candidates, and we will instantly fax all 535 Congressmen and Senators \(saving you much time and postage!\)](#)

[Justice Kavanaugh's hearing scheduled for 3 or 4 days](#)

"Senate Judiciary Committee Chairman Chuck Grassley announced that the hearing for SCOTUS nominee

Judge Brett Kavanaugh **will begin on September 4** and is expected to last for three or four days," [reports](#) Liberty Counsel.

"Opening statements by Judiciary Committee members and the nominee will occur on Tuesday, September 4.

The questioning of Judge Kavanaugh will begin on Wednesday, September 5. Testimony by those who know

Judge Kavanaugh the best, outside legal experts, and the American Bar Association is expected to follow.

1600" This announcement comes after the committee has received the **largest number of Executive Branch records ever** for the consideration of a Supreme Court nominee. As of today, the committee has received more than 184,000 pages of records from Judge Kavanaugh's work as a White House lawyer and his work for Independent Counsel Kenneth Starr.

"The committee also expects to receive hundreds of thousands of additional pages of Executive Branch documents.

These records will be reviewed in addition to the 307 cases in which Judge Kavanaugh wrote an opinion as an appeals court judge, the hundreds more opinions he joined, and the more than 17,500 pages of material he provided in response to the committee's bipartisan questionnaire."

[Dr. Chaps' comment: Like or dislike, he's the nominee. We must pray that if he is confirmed, Justice Kavanaugh will **disprove the skeptics and defend life and liberty.**]

Let's petition Congress to let pastors preach freely on politics, without IRS penalty:

SELECT HERE TO SIGN PETITION, demanding PULPIT FREEDOM for Pastors and Churches to freely endorse and oppose political candidates, and we will instantly fax all 535 Congressmen and Senators (saving you much time and postage!)

Friends, our Congress must vote on the record, for or against pulpit freedom. Let's take a stand today, and demand free speech be restored to churches and pastors.

God Bless you, in Jesus' name,

Chaplain Gordon James Klingenschmitt, PhD

For interviews, speaking invites, select here.

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The Pray In Jesus Name Project, PO Box 77077, Colorado Springs, CO 80970.

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