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September 22, 2007

Office of the Clerk
U.S. Court of Appeals
Post Office Box 193939
San Francisco, CA 94119-3939

Re: *Newdow v. Carey*, Nos. 05-17257, 05-17344, 06-15093

Dear Sir or Madam:

Pursuant to Fed. R. App. P. 28(j) and Circuit Rule 28-6, Plaintiffs-Respondents submit this supplemental authority regarding the State Department's *International Religious Freedom Report 2007* (hereafter "IRFR"), released on 9/14/07.

IRFR repeatedly highlights our nation's "commitment to religious freedom," IRFR-I,¹ and notes that "freedom of religion is a fundamental human right." *Id.* It states that "the United States will stand for liberty," *id.*, that its officials will "**provide a voice for the voiceless**," *id.*, and that it will address "**the full range** of religious freedom violations." *Id.* IRFR, we are told, reflects "our dedication to work towards the day when **all persons** enjoy this cherished human right." *Id.* Interestingly, the Report speaks nowhere of a "historical record of official references to God." Opening Brief of Appellant RLUSD at 36-37. Rather, "our country's historic commitment to religious freedom," IRFR-I, is underscored.

¹ "IRFR-I" refers to the Report's "Introduction," accessed on September 21, 2007 at <http://www.state.gov/g/drl/rls/irf/2007/90079.htm>. All emphases are added.

Devoted to “adherents of **all religious** traditions and **beliefs**,” IRFR-ES,² the Report speaks of “protection for religious freedom **in the broadest sense**,” *Id.* After all, our government feels “it is critical that governments foster an environment of **respect** and tolerance **for all people**.” *Id.* Thus, IRFR decries “policies that favor majority religions and disadvantage minority religions,” *id.*, and the effects of “historical dominance by the majority religion and a bias against new or minority religions.” *Id.*

Recognizing that “[t]he right to religious freedom can be abused in many ways both blatant and subtle,” *id.*, we are told that “[**n**]o one shall be subject to **coercion** which would impair his freedom to have or to adopt a religion or belief of his choice.” *Id.* (citation omitted). In view of this (and the foregoing), one needn’t wonder what IRFR would say about a country that has its public school teachers ask its young children to stand up every morning, face the nation’s flag, place their hands over their hearts, and recite in unison purely religious verbiage that is the complete antithesis of the religious ideology sought to be instilled in some of those children by their parents. Answering Brief at 39. Except, perhaps, for the obvious hypocrisy involved, it is doubtful that a statute in Afghanistan asking its Christian children to pledge “under Islam” each morning, or a Russian pledge to “one Nation denying God’s existence” would not make its way onto IRFR’s list of infractions.

² “IRFR-ES” refers to the Report’s “Executive Summary,” accessed on September 21, 2007 at <http://www.state.gov/g/drl/rls/irf/2007/90080.htm>. All emphases are added.

Respectfully submitted,

Michael Newdow
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CERTIFICATE OF SERVICE

CASE NOS. 05-17257, 05-17344, 06-15093

I HEREBY CERTIFY that on this 22nd day of September, 2007, true and correct copies of Plaintiffs-Respondents' letter of Supplemental Authority regarding the State Department's *International Religious Freedom Report 2007*, released on 9/14/07, were delivered by e-mail to the following individuals:

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Pursuant to Ninth Circuit Rule 25-3.3, the undersigned has received a completed and signed Form 13 (Consent to Electronic Service) from counsel for each of the parties.

September 22, 2007

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