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## TOP STORIES

### Napolitano Revises Memo Explanation

*DHS Secretary To Change 'Rightwing Extremism' Comments While Lawsuit Against Her Department Moves Forward*

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Homeland Security Secretary Janet Napolitano has once again revised her explanation on how a memo declaring veterans potential terrorists and targeting conservative activists came to be published. The revision comes as a lawsuit against Ms. Napolitano that charges constitutional violations progresses.

On May 12, Ms. Napolitano told a House subcommittee the controversial memorandum, titled "Rightwing Extremism: Current Economic and Political Climate Fueling Resurgence in Radicalization and Recruitment," "was not authorized to be distributed."



Napolitano

The DHS Secretary said the report was removed from the DHS Web site and it was being "redone" to make it more sensitive to those being targeted. Such statements deviated from what she had previously said.

When news of the report first surfaced, the DHS Secretary stood by it and went as far as to defend it. But as the public outcry grew louder, Ms. Napolitano's willingness to be connected to the report diminished. Within days she argued that she would have "reworded" the memo to avoid offending veterans.

Such an explanation did not quell dissent, and that forced Ms. Napolitano to apologize to veterans. Her announcement the memo was not published without authorization is just the latest evolution of the story.

Ms. Napolitano's latest statement was music to the ears of attorneys at the Thomas More Law Center. The public interest firm filed a lawsuit last month on behalf of conservative radio talk show host Michael Savage, Gregg Cunningham, president of the pro-life organization Center for Bio-Ethical Reform, and Iraqi War Marine veteran Kevin Murray. It alleges the DHS memo unconstitutionally targets conservative thinkers and war veterans in violation of their First and Fifth Amendment constitutional rights.

"Since we filed that lawsuit, additional information has been brought to our attention that creates even more concern that the Department of Homeland Security (DHS) is unconstitutionally targeting Americans merely because of their conservative beliefs," said Richard Thompson, president and chief counsel of the Law Center. "Moreover, simply removing the report from the DHS Web site, without a condemnation of its contents and specific instructions to all the enforcement agencies receiving it that that it should not be used, is merely hiding the evidence of an insidious ongoing agenda to go after conservative Americans."

The report, published April 7, detailed what DHS called a resurgence of "right-wing extremism brought about by

the current economic downturn and the election of the nation's first black president." It was prepared by the Office of Intelligence and Analysis. It also described those who belong to groups that advocate for conservative perspectives on issues such as immigration reform, gun rights and abortion as extremists.

In its lawsuit, the Law Center is requesting a Michigan federal court permanently block the policy of targeting conservatives and war veterans. It is reasoned the policy encourages law enforcement personnel across the country to target individuals based upon their free-speech activities.

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