

April 15, 2025

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VIA EMAIL

Defense Secretary Hegseth and Superintendent Davids:

On behalf of the NAACP Legal Defense and Educational Fund (“LDF”)¹ and Lambda Legal Defense and Education Fund (“Lambda Legal”)², we are writing to express our grave

¹ Founded in 1940 by Justice Thurgood Marshall, the LDF is the nation’s first and foremost civil rights law organization. Through litigation, advocacy, public education, and outreach, LDF strives to secure equal justice under the law for all people in America, and to eliminate barriers that prevent Black people in America from realizing their basic civil and human rights. For more than eight decades, LDF has worked to dismantle racial segregation and ensure equal educational opportunity for all students, most prominently in the groundbreaking case, *Brown v. Bd. of Educ.*, 347 U.S. 483 (1954). Consistent with LDF’s opposition to all forms of discrimination, LDF has a strong interest in ensuring that all students have access to educational materials about the history and experiences of Black people and the United States’ ongoing struggle to secure the constitutional promise of racial equality.

² Lambda Legal Defense and Education Fund, Inc. is the nation’s oldest and largest legal organization committed to achieving full recognition of the civil rights of lesbian, gay, bisexual, and transgender people and everyone living with HIV through impact litigation, education, and policy advocacy. Lambda Legal has been instrumental in securing landmark legal victories for LGBTQ+ people and people living with HIV, including the right to marriage equality and broad protections against discrimination. Lambda Legal frequently advocates for the right of LGBTQ+ students to full recognition and participation in schools. Lambda Legal believes all students benefit from access to diverse and varied viewpoints and opposes any attempt to cast a pall of orthodoxy over the nation’s classrooms.

concern regarding the U.S. Naval Academy's decision to remove [381 books](#) discussing race, gender, and sexuality from the Nimitz Library collection to comply with a verbal order from the office of the Defense Secretary. Given these concerns, we ask that you order the reinstatement of the removed books as soon as possible.

I. Background

In March 2025, the Naval Academy reviewed its book collection in Nimitz Library following a verbal order from the office of the Defense Secretary demanding compliance with Executive Order 14190, "[Ending Radical Indoctrination in K-12 Schooling](#)."³ Accordingly, the Naval Academy reviewed 900 titles to screen for so-called "diversity, equity, and inclusion" topics.⁴ On April 4, 2025, the United States Department of the Navy issued a press release announcing that 381 books had been removed from circulation at Nimitz Library and provided a list of the banned books.⁵

II. As an Institution of Higher Education, the Naval Academy Has the Constitutional Responsibility Not to Deprive Cadets of Their Right to Receive Information.

The Naval Academy's removal of 381 titles from circulation reflects broader efforts by the office of the Defense Secretary to censor speech and limit access to information on topics with which he and the current administration disagree and disfavor. As an institution of higher education, the Naval Academy should be a "marketplace of ideas," *Keyishian v. Bd. of Regents of Univ. of State of N. Y.*, 385 U.S. 589, 603 (1967), and the removal of these titles from circulation jeopardizes "the right to receive information and ideas" for Naval Academy cadets. *Bd. of Educ., Island Trees Union Free Sch. Dist. No. 26 v. Pico*, 457 U.S. 853, 867 (1982). Although "[t]he military need not encourage debate or tolerate protest to the extent that such tolerance is required of the civilian state by the First Amendment," the "guarantees of the First Amendment" are not "render[ed] entirely nugatory in the military context." *Goldman v. Weinberger*, 475 U.S. 503, 507 (1986). The Naval Academy's decision to remove 381 titles from circulation, based on the particular views expressed by the authors regarding race, gender, and sexuality with which the

³ See John Ismay & Kate Selig, *Naval Academy Takes Steps to End Diversity Policies in Books and Admissions*, N. Y. Times (Mar. 28, 2025), <https://www.nytimes.com/2025/03/28/us/politics/naval-academy-diversity-affirmative-action.html>.

⁴ John Ismay, *These Are the 381 Books Removed From the Naval Academy Library*, N.Y. Times (Apr. 4, 2025), <https://www.nytimes.com/2025/04/04/us/politics/naval-academy-dei-books-removed.html>.

⁵ Press Release, U.S. Navy, List of Books Removed from USNA Library (Apr. 3, 2025), <https://www.navy.mil/Press-Office/Press-Releases/display-pressreleases/Article/4146516/list-of-books-removed-from-usna-library/>.

current administration disagrees, presents the kind of blatant First Amendment violation that offends the Constitution and worsens the quality of education at the Academy.

The list of 381 titles removed from circulation almost exclusively touch upon topics pertaining to the experiences of people of color, especially Black people, and/or LGBTQ people, including:

- “I Know Why the Caged Bird Sings” by Maya Angelou
- “Stone Fruit” by Lee Lai
- “The Hate U Give” by Angie Thomas
- “Lies My Teacher Told Me: Everything Your American History Textbook Got Wrong” by James W. Loewen
- “Gender Queer: A Memoir” by Maia Kobabe
- “Democracy in Black: How Race Still Enslaves the American Soul” by Eddie S. Glaude, Jr.
- “Words that Wound: Critical Race Theory, Assaultive Speech, and the First Amendment” by Mari J. Matsuda
- “White Evangelical Racism: The Politics of Morality in America” by Robert P. Jones.

The Naval Academy’s decision to remove these and other titles from circulation limits access to views expressed by certain authors on important topics regarding race, sex, and gender. By removing these titles from Nimitz Library, the Naval Academy has chosen to deliberately and discriminatorily narrow the educational experience of cadets—denying access to the full spectrum of voices and views that define the American experience. These discriminatory restrictions on the ability of cadets to learn and engage with this critical information jeopardize the mission readiness, leadership development, and value-based education that are essential to our military service academies. *Keyishian*, 385 U.S. at 603 (“The Nation’s future depends upon leaders trained through wide exposure to that robust exchange of ideas which discovers truth out of a multitude of tongues, (rather) than through any kind of authoritative selection.”) (cleaned up). Indeed, no legitimate pedagogical reason was offered to justify the banning of these 381 books. Rather, the removal of these specific books was a product of politics, not educational pedagogy—which is precisely the type of censorship prohibited by the First Amendment. *Gay Lesbian Bisexual All. v. Pryor*, 110 F.3d 1543, 1550 (11th Cir. 1997) (“[T]he dangers of viewpoint discrimination are heightened in the university setting . . . [f]or the University, by regulation, to cast disapproval on particular viewpoints of its students risks the suppression of free speech and creative inquiry in one of the vital centers for the nation’s intellectual life, its college and university campuses.”)

The Naval Academy’s decision to remove certain books concerning race, gender, and sexuality from circulation, while retaining others with a contrasting viewpoint on those subjects, sends a clear message as to which perspectives and experiences are deserving of discussion and exploration in an educational setting. The Naval Academy has *removed* books that include the

perspectives and experiences of Black and/or LGBTQ people, critique and analyze discrimination against historically marginalized groups and its ongoing effects, and encourage critical thinking about different identities and viewpoints in a country composed of a rich diversity of cultures and backgrounds. Moreover, a majority of the banned books appear to be written by authors of color or authors who belong to other historically marginalized groups. At the same time, the Naval Academy chose to *retain* books with messages and themes that privilege certain races and religions over others, and, in so doing, the Naval Academy advances certain viewpoints while discouraging others. For example, cadets may still access “The Clansman: A Historical Romance of the Ku Klux Klan” by Thomas Dixon Jr.,⁶ “Mein Kampf” by Adolf Hitler,⁷ and “Heart of Darkness” by Joseph Conrad⁸—books that endorse the subordination and denigration of certain races, genders, sexualities, and religions.⁹ The Naval Academy’s actions, therefore, send an undeniable message that only some identities, ideas, and religions are acceptable, which is at stark odds with the foundation of American equality and freedom.

Reading and engaging with varying viewpoints from diverse authors, particularly writers from historically marginalized communities that may be unfamiliar to cadets, develops critical thinking, empathy, and intellectual agility that prepares them to engage thoughtfully and responsibly with a complex and interconnected world. When books by authors of color and LGBTQ people are banned, or views that challenge dominant narratives are restricted, cadets are denied the opportunity to learn about the full richness of the human experience, ultimately rendering cadets less prepared and less informed to lead the mix of personnel who will be under their command and to be effective when confronted with national and international conflicts and concerns.

⁶ *The Clansman: A Historical Romance of the Ku Klux Klan* is a novel “set in Reconstruction-era United States and concerns the Klan’s role in protecting white Southerners from carpetbaggers and an oppressive government that would turn former enslaved persons against white Southerners.” Nat’l Museum of African Am. Hist. & Culture, *The Clansman: A Historical Romance of the Ku Klux Klan*, https://nmaahc.si.edu/object/nmaahc_2013.231.17 (last visited Apr. 14, 2025).

⁷ *Mein Kampf* was written by Adolf Hitler while in prison, “where he was serving a sentence for a failed coup he attempted in 1923.” In the book, Hitler discusses his vision for the future of Germany and his ideology. “*Mein Kampf* is full of racist ideas and hatred of Jews and communists.” Anne Frank House, Adolf Hitler publishes ‘Mein Kampf’, <https://www.annefrank.org/en/timeline/6/adolf-hitler-publishes-mein-kampf/> (last visited Apr. 14, 2025).

⁸ In *Heart of Darkness*, the narrator repeatedly describes the Congolese people he encounters as “unearthly,” “monstrous,” and generally subhuman.

⁹ John Ismay, *Who’s In and Who’s Out at the Naval Academy’s Library?*, N.Y. Times (Apr. 11, 2025), <https://www.nytimes.com/2025/04/11/us/politics/naval-academy-banned-books.html> (“‘The Bell Curve,’ which argues that Black men and women are genetically less intelligent than white people, is still there. But a critique of the book was pulled.”).

III. Conclusion

The decision of the Naval Academy to strip the Nimitz Library of diverse voices and viewpoints, especially those written by and/or about Black and LGBTQ people, is unconstitutional censorship of politically disfavored ideas in direct conflict with a functioning democracy. Such censorship is especially dangerous in an educational setting, where critical inquiry, intellectual diversity, and exposure to a wide array of perspectives are necessary to educate future citizen-leaders. While the Naval Academy is tasked with educating and cultivating cadets to be leaders of a pluralistic nation, it has done a disservice to cadets by preventing access to critical information. We therefore urge you and the Naval Academy to reconsider this decision, reinstate the removed books, and affirm the value of a military education that reflects the rich diversity of the nation that cadets are sworn to protect.

Thank you for your service and your attention to this urgent matter. Please contact Avatara Smith-Carrington, Assistant Counsel, at acarrington@naacpldf.org if you have any questions.

Sincerely,

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