

# NATIONAL CONGRESS OF AMERICAN INDIANS

## The National Congress of American Indians Resolution #TUL-05-087

**TITLE:** Support for NCAA Ban on "Indian" Mascots



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*Tlingit*

**NCAI HEADQUARTERS**  
1301 Connecticut Avenue, NW  
Suite 200  
Washington, DC 20036  
202.466.7767  
202.466.7797 fax  
www.ncai.org

**WHEREAS**, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

**WHEREAS**, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

**WHEREAS**, the use of "Native American" sports mascots, logos, or symbols perpetuates stereotypes of American Indians that are very harmful. The "warrior savage" myth has plagued this country's relationships with the Indian people, as it reinforces the racist view that Indians are uncivilized and uneducated and it has been used to justify policies of forced assimilation and destruction of Indian culture; and

**WHEREAS**, sports teams with "Indian" logos represent Native Americans as archaic stereotypes when Native Americans are members of and contributors to contemporary society, and two-thirds or over 2,000 of such "Indian" references in sports have been eliminated during the past 35 years. The stereotypes of uneducated warrior savages cause employers to discriminate against American Indians who are seeking jobs in fields that require education and sophistication; and

**WHEREAS**, NCAI also understands that Indian tribes, universities and sports teams can work together in ways that are respectful of tribal culture and ensure that Indian imagery is utilized in an honorable manner and NCAI respects the right of tribal councils to make their own decisions regarding their relationships with school district and university sports teams; and

**WHEREAS**, some tribes enjoy a positive relationship with local universities, having experienced many years of fruitful endeavors meant to bring about progress for tribal members, with universities who demonstrate their commitment to serve the Indian community through scholarships, grants, academic curriculums, etc., and seek out cooperation with the tribes.

**NOW THEREFORE BE IT RESOLVED**, that NCAI does hereby oppose the use of racist and demeaning "Indian" sports mascots and strongly supports the National Collegiate Athletic Association ban on "hostile or offensive" mascots in postseason NCAA activities. NCAI supports a complete ban on the use of offensive and derogatory "Indian" mascots in all sports arenas; and

**BE IT FURTHER RESOLVED**, that the NCAI acknowledges that tribes, schools and sports teams can work together in ways that are respectful of tribal culture and respects the right of each tribe and tribal community to decide for itself how best to protect and celebrate its heritage and make their own decisions regarding their relationships with school and university sports teams; and

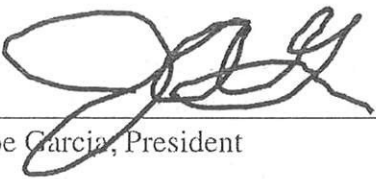
**BE IT FURTHER RESOLVED**, that absent specific approval or consent from the relevant tribal council(s), that the NCAI will continue to oppose the use of any "Indian" sports mascot; and

**BE IT FURTHER RESOLVED**, that the NCAI reiterates its support of and commitment to the Native position in the ongoing litigation, Harjo et al v. Pro Football, Inc., and reiterates its support of and commitment to all prior NCAI resolutions on the subject of "Native" references in sports; and

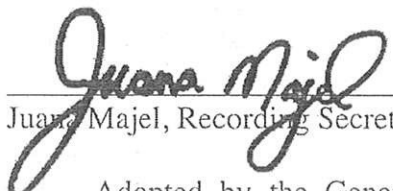
**BE IT FINALLY RESOLVED**, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

#### CERTIFICATION

The foregoing resolution was adopted at the 2005 Annual Session of the National Congress of American Indians, held at the 62<sup>nd</sup> Annual Convention in Tulsa, Oklahoma on November 4, 2005 with a quorum present.

  
\_\_\_\_\_  
Joe Garcia, President

ATTEST:

  
\_\_\_\_\_  
Juana Majel, Recording Secretary

Adopted by the General Assembly during the 2005 Annual Session of the National Congress of American Indians held from October 30, 2005 to November 4, 2005 at the Convention Center in Tulsa, Oklahoma.

# **ENDING THE LEGACY OF RACISM IN SPORTS & THE ERA OF HARMFUL “INDIAN” SPORTS MASCOTS**

*National Congress of American Indians | October 2013*

## ENDING THE LEGACY OF RACISM IN SPORTS & THE ERA OF HARMFUL “INDIAN” SPORTS MASCOTS

“Indian” sports brands used by professional teams were born in an era when racism and bigotry were accepted by the dominant culture. These brands which have grown to become multi-million dollar franchises were established at a time when the practice of using racial epithets and slurs as marketing slogans were a common practice among white owners seeking to capitalize on cultural superiority and racial tensions.

Over the last fifty years a ground swell of support has mounted to bring an end to the era of racist and harmful “Indian” mascots in sports and popular culture. Today, that support is stronger than ever. Rooted in the civil rights movement, the quest for racial equality among American Indian and Alaska Native people began well before the National Congress of American Indians (NCAI) established a campaign in 1968 to bring an end to negative and harmful stereotypes in the media and popular culture. While these advances have been positive, equality still remains elusive in everyday life for Native peoples.

Native peoples remain more likely than any other race to experience crimes at the hands of a person from another race. Native youth experience the highest rates of suicide among young people. With studies showing that negative stereotypes and harmful “Indian” sports mascots are known to play a role in exacerbating racial inequity and perpetuating feelings of inadequacy among Native youth, it is vital that all institutions—including professional sports franchises—re-evaluate their role in capitalizing on these stereotypes.

Since 1963, no professional teams have established new mascots that use racial stereotypes in their names and imagery. In 2005, the National Collegiate Athletic Association (NCAA) established an extensive policy to remove harmful “Indian” mascots. There has also been a strong trend to remove harmful “Indian” mascots at the high school level, including 28 high schools that have dropped the “R” word as their mascot’s name. Hundreds of tribal nations, national tribal organizations, civil rights organizations, school boards, sports teams, and individuals have called for the end to harmful “Indian” mascots.

Yet, contrary to industry best practices, calls for name changes by tribal nations and Native peoples, and a sea change at the youth, amateur, collegiate, and professional sports levels, a number of professional sports leagues and teams have opted to retain harmful “Indian” brands, rather than truly honor Native peoples. The most discussed in the media of late has been the Washington football team, which uses the term “Redsk\*ns.”<sup>1</sup> This derogatory name was created in 1932 – while the federal “Civilization Regulations” were still in place, confining Native people to reservations, banning all Native dances and ceremonies, confiscating Native cultural property and outlawing much of what was traditional in Native life. That also was the year before owner George Preston Marshall instituted what would become a 13-year league-wide ban on African-American players from the NFL. (The Washington football team did not integrate until 30 years later, when Marshall was forced to do so).

The following document outlines the position of NCAI, the nation’s oldest, largest, and most representative American Indian and Alaska Native advocacy organization, which has a clear position against derogatory and harmful stereotypes of Native people—including sports mascots—in media and popular culture. The information provided also includes historical and contemporary background information on “Indian” sports mascots and the widely supported efforts to end the era of harmful and racist mascots.

This document focuses primarily on the NFL’s Washington football team, which is currently engaged in a trademark lawsuit brought by Native youth. The document reviews the link between the name of the team and a legacy of racism established by the team’s owner George Preston Marshall. More importantly, the document outlines why this issue is directly tied to racial equity and social justice and calls on professional sports organizations such as the National Football League and other professional sports leagues and affiliated businesses to bring an end to the era of harmful “Indian” sports mascots.

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<sup>1</sup> Due to the deeply offensive nature of the name of the Washington football team, this paper renders the team name as “Redsk\*ns” or the “R Word” throughout.

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*“Our nation was born in genocide when it embraced the doctrine that the original American, the Indian, was an inferior race. Even before there were large numbers of Negroes on our shores, the scar of racial hatred had already disfigured colonial society.*

*From the sixteenth century forward, blood flowed in battles of racial supremacy. We are perhaps the only nation which tried as a matter of national policy to wipe out its indigenous population. Moreover, we elevated that tragic experience into a noble crusade.*

*Indeed, even today we have not permitted ourselves to reject or to feel remorse for this shameful episode.*

*Our literature, our films, our drama,  
our folklore all exalt it.”*

**– Rev. Dr. Martin Luther King, Jr., Why We Can't Wait , 1963**

# I. HARMFUL "INDIAN" MASCOTS AND NEGATIVE IMPACTS

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American Indian and Alaska Native peoples and governments are central members of and contributors to North American society – with over 566 federally recognized tribes, all of which are sovereign nations – with lands located within the borders of 34 states. Over 5.2 million American Indian or Alaska Native people were counted in the 2010 Census representing close to 2 percent of the US population. In total, tribal governments are the second largest landowner in the United States and exercise jurisdiction over lands that would make Indian Country the size of the fourth largest state in the nation.

The use of racist and derogatory "Indian" sports mascots, logos, or symbols, is harmful and perpetuates negative stereotypes of America's first peoples. Specifically, rather than honoring Native peoples, these caricatures and stereotypes contribute to a disregard for the personhood of Native peoples. Efforts to end harmful "Indian" mascots are rooted in an attempt to achieve social justice and racial equity across all parts of American society.

Widely consumed images of Native American stereotypes in commercial and educational environments slander, defame, and vilify Native peoples, Native cultures, and tribal nations, and continue a legacy of racist and prejudiced attitudes. In particular, the 'savage' and 'clownish' caricatures used by sports teams with "Indian" mascots contribute to the "savage" image of Native peoples and the myth that Native peoples are an ethnic group 'frozen in history.' All of which continue to plague this country's relationships with Native peoples and perpetuate racial and political inequity.

Harmful and negative stereotypes also have a damaging impact on Native young people. Of today's American Indian and Alaska Native population, those under the age of 18 make up 32 percent, and Native youth under the age of 24 represent nearly half, or 42 percent, of the entire Native population.

Empirical evidence in a 2004 study by Dr. Stephanie Fryberg, a preeminent cultural and social psychology scholar and an enrolled member of the Tulalip Tribes in Washington state, showed that the use of American Indian-based names, mascots, and logos in sports have a negative psychological effect on Native peoples and positive psychological consequences for European Americans.<sup>1</sup> Additionally, Fryberg has concluded that these mascots have negative effects on race relations in the United States.

When exposed to these images, the self-esteem of Native youth is harmfully impacted, their self-confidence erodes, and their sense of identity is severely damaged. Specifically, these stereotypes affect how Native youth view the world and their place in society, while also affecting how society views Native peoples. This creates an inaccurate portrayal of Native peoples and their contributions to society. Creating positive images and role models is essential in helping Native youth more fully and fairly establish themselves in today's society.

The rate of suicide among American youth is highest for Native young people at 18 percent, which is twice the rate of the next highest of 8.4 percent among non-Hispanic white youth. Suicide is particularly prevalent among young Native men, who commit suicide at a rate that is up to five times higher than that of young Native women.<sup>2</sup> Where the "invisibility" of Native peoples and a lack of positive images of Native cultures may not present a major issue for many Americans, it poses a significant challenge for Native youth who want to access and maintain a foundation in their Native cultures and languages.

The intolerance and harm promoted by "Indian" mascots have very real consequences. The alarmingly high rates of hate crimes against Native people indicates a need to take immediate action in a number of areas, including the removal of harmful images and education of the general public to diffuse additional hateful activity against Native peoples. According to Department of Justice analysis, "American Indians are more likely than people of other races to experience violence at the hands of someone of a different race."<sup>3</sup> In Fryberg's study, findings show that Native stereotypes lead to a boost in self-esteem for non-Natives, specifically European Americans; "American Indian social representations were associated with lower self-esteem for American Indians and higher self-esteem for European Americans."

## II. ENDING HARMFUL MASCOTS – A NATIONAL PRIORITY FOR 45 YEARS

NCAI, the nation's oldest, largest, and most representative American Indian and Alaska Native advocacy organization has a long-standing, firm position against the use of "Indian" stereotypes as mascots, logos, and symbols in various sports, commercial, and cultural institutions. These harmful and archaic depictions must be ended. Since 1968, with the establishment of an organizational campaign to end harmful stereotypes, NCAI has contributed to the development of a diverse and large coalition of institutions over the last 45 years, including tribal governments and tribal members, all of whom support the elimination of stereotypical Native American images and team names.

As these stereotypes continue to be perpetuated by national and local media and popular culture, Native youth—the fastest growing segment of the Native population—are at an increased risk of harm, both self-inflicted and by those who are non-Native. NCAI's position to end negative and harmful stereotypes is directly linked to our ongoing efforts to build a healthy and nurturing environment for Native youth to flourish and become the next generation of leaders and Native citizens.

The organization has passed a number of resolutions on the issue, specifically in 1993 calling on the Washington football team to end the use of the team's name and in 2005 in support of the NCAA ban on "Indian" mascots, nicknames, and imagery in postseason play.<sup>4</sup>

Along with the hundreds of tribal governments who make up NCAI, opposition to these sports stereotypes has been declared by national and regional tribal organizations, individual tribal governments, state governments, agencies, organizations, and companies—all of whom have taken official positions or actions in support of ending harmful mascots. They have been joined by large numbers of civil rights, education, youth advocacy, mental health, religious, and other national organizations which have taken formal positions against harmful mascots. As a result of ongoing education and advocacy, in total, two-thirds or over 2,000 "Indian" references in sports have been eliminated during the past 35 years. Nearly 1,000 still remain today.<sup>5</sup>

Echoing the objections of many organizations throughout the country – such as the NAACP and National Education Association – in 2001 the US Commission on Civil Rights concluded that Native American references in sports "whether mascots and their performances, logos, or names, are disrespectful and offensive to American Indians and others who are offended by such stereotyping" and "are particularly inappropriate and insensitive in light of the long history of forced assimilation that American Indian people have endured in this country."<sup>6</sup>

This position is shared by an overwhelming number of national organizations, including the:

**American Psychological Association**, which passed a resolution calling for the immediate retirement of American Indian mascots and imagery, citing potential negative effects it may have on the mental health and psychological behavior of American Indian people<sup>7</sup>; and

**American Sociological Association**, which called for the discontinued use of Native American nicknames, logos and mascots in sports, stating that "social science scholarship has demonstrated that the continued use of Native American nicknames, logos and mascots in sport harm Native American people in psychological, educational, and social ways."<sup>8</sup>

**National Association for the Advancement of Colored People (NAACP) 1999 Resolution** – "BE IT FURTHER RESOLVED that the national NAACP call upon all professional sports teams and public and private schools and universities currently using such names and images to reject the use of Native Americans and all historically oppressed people and their cultural traditions, as sports mascots and symbols and affirm their commitment to respect racial and cultural inclusion in all aspects of their institutions;..."<sup>9</sup>

*For a full list of organizations that have endorsed the elimination of "Indian" mascots and images in sports, see Appendices D and E.*



### III. NATIONAL COLLEGIATE ATHLETIC ASSOCIATION (NCAA) POLICY ON HOSTILE AND ABUSIVE MASCOTS

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*"The NCAA objects to institutions using racial/ethnic/national origin references in their intercollegiate athletics programs...As a national association, we believe that mascots, nicknames or images deemed hostile or abusive in terms of race, ethnicity or national origin should not be visible at the championship events that we control." - NCAA President Myles Brand, 2005*

In 2005, the NCAA Executive Committee established its policy "prohibiting colleges or universities with hostile or abusive mascots, nicknames or imagery from hosting any NCAA championship competitions."<sup>10</sup> In 2005, NCAI passed a resolution in support of the NCAA ban on "Indian" mascots, nicknames, and imagery in postseason play, including the namesake exception policy.<sup>11</sup> The NCAA's policy took effect February 1, 2006.

Upon announcing the policy, the NCAA's Executive Committee also "strongly suggested that institutions follow the best practices of institutions that do not support the use of Native American mascots or imagery. Model institutions include the University of Iowa and University of Wisconsin, who have practices of not scheduling athletic competitions with schools who use Native American nicknames, imagery or mascots."<sup>12</sup>

Additionally, the Committee suggested that institutions should review their publications and written materials for hostile and abusive references and remove those depictions, which is the current policy of the NCAA National Office.

#### NCAA "NAMESAKE EXCEPTION"

The NCAA's namesake exception allows universities to keep their Native American nicknames and imagery if it is based on a particular tribe and have the permission to do so by the respective tribe. In 2005 the NCAA approved a namesake exception process;

"...by which colleges and universities subject to restrictions on the use of Native American mascots, names and imagery at NCAA championships will be reviewed...

One primary factor that will be considered is if documentation exists that a 'namesake' tribe has formally approved of the use of the mascot, name, and imagery by the institution."<sup>13</sup>

The Florida State University "Seminoles," the University of Utah "Utes," and the Central Michigan University "Chippewas" were taken off the list after the local namesake tribes expressed support for their respective mascots and logos. The University of North Dakota did not receive an exemption for its Fighting Sioux name after it was determined that there was insufficient namesake support from local tribes. The University dropped the name in 2012 after more than two-thirds of voters in North Dakota voted against a state referendum to keep the name.<sup>14</sup>

As stated in NCAI's resolution on the matter, the organization supports individual tribes, universities, and sports teams working together in ways that are respectful of tribal culture and ensure that Indian imagery is utilized in an honorable manner. NCAI respects the sovereignty of tribal governments to make their own decisions regarding their relationships with local school districts and university sports teams.

## IV. STATE POLICY POSITIONS ON HARMFUL MASCOTS IN SCHOOLS

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*"The U.S. Commission on Civil Rights calls for an end to the use of Native American images and team names by non-Native schools. The Commission deeply respects the right of all Americans to freedom of expression under the First Amendment and in no way would attempt to prescribe how people can express themselves. However, the Commission believes that the use of Native American images and nicknames in schools is insensitive and should be avoided. . . Schools have a responsibility to educate their students; they should not use their influence to perpetuate misrepresentations of any culture or people." – U.S. Commission on Civil Rights, April 13, 2001*

Several states have taken action to address the racist stereotypes perpetuated by "Indian" mascots and images in their schools:

**Wisconsin** – The Wisconsin State legislature passed the 2009 Wisconsin Act 250 ([download](#)), which allows community members to file complaints to the state's Department of Public Instruction, who then have the authority to call for name and mascot changes in the questioned schools, if it is determined the names/mascots are discriminatory;

**Michigan** - In 2013, the State of Michigan State Board of Education passed a resolution ([download](#)) urging all of its schools to drop any American Indian references such as mascots, nicknames and logos; and

**Oregon** - The Oregon State Board of Education in 2012 banned all Native American team names, mascots, and logos in their schools. The legislation followed a report to the State Board of Education by the Superintendent of Public Instruction on harmful mascots in schools ([download](#)). In 2013, at the urging of the Board members and the Native coalition that successfully advocated the law's passage, the Governor vetoed what would have been a legislative loophole for certain schools to escape coverage of the law.

As a result of these policies and educational efforts by concerned stakeholders, many schools throughout the United States have made the reasonable and mature decision to stop the preservation of institutionalized racism and discontinue use of their "Indian" names, mascots and logos.

Two-thirds or over 2,000 of such "Indian" references in sports have been eliminated during the past 35 years.

Over the past 25 years, 28 high schools have changed their "Redsk\*ns" name.

## V. PROFESSIONAL SPORTS AND HARMFUL MASCOTS

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The professional sports industry, specifically the National Football League (NFL), Major League Baseball (MLB), and the National Hockey League (NHL) and the leagues' team owners have failed to address the racist origins of deplorable race based marketing strategies of the past. Often citing a long held myth by non-Native people that "Indian" mascots "honor Native people," American sports businesses such as the NFL's Washington "Redsk\*ns" and Kansas City "Chiefs," MLB's Cleveland "Indians" and Atlanta "Braves," and the NHL's Chicago Black Hawks, continue to profit from harmful stereotypes originated during a time when white superiority and segregation were common place.

Each of these professional sports businesses attempt to establish a story of honoring Native peoples through the names or mascots; however, each one—be it through logos or traditions (e.g., fight songs, mascots, human impersonators, and fan culture)—diminishes the place, status, and humanity of contemporary Native citizens. What is true about many of the brand origin stories is that team owners during the birth of these brands hoped to gain financially from mocking Native identity. As a result, these businesses perpetuated racial and political inequity. Those who have kept their logos and brands, continue to do so.

Despite the institutional leadership exhibited at the collegiate level and the sweeping change taking place at the high school level across the United States, there has been no action at the professional level to address harmful mascots. However, there has been a clear trend that establishing new harmful mascots is not acceptable.

Since 1963, when the Dallas Texans relocated and became the Kansas City Chiefs, no professional teams have established new mascots that use racial stereotypes in their names and imagery. Additionally, some professional teams, such as the National Basketball Association's (NBA) Golden State Warriors have changed their logo, removing the headdress to reduce the use of negative stereotypes. While not directly related to Native mascots, the NBA's Washington Bullets changed the team's name and imagery to the Washington Wizards in response to local and national concern regarding the high levels of violence in the region, specifically in the African American community.

Among the remaining professional teams with harmful mascots, actions by the MLB's Atlanta Braves and Cleveland Indians to subtly alter logos and team branding in an attempt to mitigate harm while keeping established brand identity, indicates that management in these businesses understand the negative social impact of their brands.

In 1986, the Atlanta Braves "retired Chief Noc-A-Homa, a mascot who actually had a teepee in the bleachers of Fulton County Stadium and performed a war dance when a home team player hit a home run."<sup>15</sup> However, these actions also indicate an unwillingness to completely disavow their business from their brands for financial reasons.

## VI. WASHINGTON FOOTBALL TEAM – ENDING A LEGACY OF RACISM

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Among the professional ranks, the effort by the NFL and the Washington football team to retain the violent and racially derived term "Redsk\*ns" has been a focus of national and international media. The legacy of racism which was established by the team's owner, George Preston Marshall, is an important component to the story of the Washington football team name, in addition to its violent origins in American popular culture.

The term originates from a time when Native people were actively hunted and killed for bounties, and their skins were used as proof of Indian kill.<sup>16</sup> Bounties were issued by European companies, colonies, and some states, most notably California. By the turn of the 20<sup>th</sup> century it had evolved to become a term meant to disparage and denote inferiority and savagery in American culture. By 1932, the word had been a term of commodification and a commentary on the color of a body part. It was not then and is not now an honorific. In 1932, the term was selected as the new name of the Boston Braves by the team's new owner, George Preston Marshall; considered the league's most notorious racist owner in the formative years of the NFL.<sup>17</sup>

The term has since evolved to take on further derogatory meanings. Specifically, in the 20<sup>th</sup> Century the term became a widely used derogatory term to negatively characterize Native characters in the media and popular culture, such as films and on television. Consider the following excerpt from a 1972 letter to NFL President Bennett Williams from a coalition of American Indian organizations explaining why the term is disparaging:

"The term "Redsk\*n" has been perpetuated through such media as western movies and television. Most often, the term is coupled with other derogatory adjectives, as "dirty Redsk\*n" or "pesky Redsk\*n" which is used interchangeably with the word "savage" to portray a misleading and denigrating image of the Native American."

The NFL's Washington football team has justified its use of its racist moniker by stating that the name is an attempt to honor Native peoples, citing that then-new owner of the Boston Braves, George Preston Marshall, changed the name to the Boston Redsk\*ns, to both accommodate a branding conflict with the Boston "Braves" baseball team and to honor new coach William "Lonestar" Dietz in 1932, whose false identity as an American Indian was exposed in a federal court proceeding and an extensive FBI investigation. The Washington franchise persists in its mythology that the team was named to honor Dietz, who was German.

Though Dietz's first two seasons would be his last (he was fired after achieving a .500 win-loss record), owner George Preston Marshall went on to become known as one of the most vehement advocates of outright racist and segregationist policies of the NFL.<sup>18</sup>

In 1933, the year after the name change, Marshall had established himself as a leader in bringing racial segregation to the business of football. It is well documented that Marshall supported, if not instigated, a ban of African American football players from NFL play, which successfully lasted thirteen years till 1946, when the league reintegrated. This happened just one year before Jackie Robinson put on a Brooklyn Dodgers uniform, integrating Major League Baseball in 1947. The Washington football team was the last team to integrate in 1962, bitterly hanging on and capitulated only after being forced to do so by the federal government and the Kennedy Administration.

## Historical Context of Race in America at time of Team Name Change to "Redsk\*ns"

While there is a great deal of context that can be provided about race relations at the time of the first "Redsk\*ns" name change, a few important contextual facts are critical when examining the decision of George Preston Marshall to change the name from the Braves to the "Redsk\*ns".

Most notably, the team's name change came at the start of one of the nation's most volatile periods of racial tension as the United States grappled with the Great Depression and economic scarcity. In 1932, the year the Washington football team's new name was established in Boston, America was facing one of its most difficult financial times economically and this impacted race relations. Unemployment reached 24% nationally. Half of all black Americans were unemployed. The financial industry was in ruin, and millions of people were homeless.

As America struggled to regain financial footing, much of the nation refortified its racial divisions fighting across racial groups for jobs, food, and resources. This was an America where the slogans "No jobs for [n-word] until every white man has a job" or "[N-word] back to the cotton fields. City jobs are for white men" were commonplace. Between 1932-1933, reported lynchings rose from eight to 28.

During this time the commercialization of race continued to be acceptable as the theatrical use of "blackface" continued in popular culture. In 1933, Walt Disney released a cartoon *Mellerdrummer* based on Uncle Tom's Cabin, a popular blackface/minstrel performance.<sup>19</sup> In 1932, Walter O. Gutlohn's animated cartoon short of Tom and Jerry titled "Redsk\*n Blues" tells the story of the main characters being attacked by stereotypical "savage" Indians, only to be rescued by the US Army. As NPR reported on the context of the team name in relation to this cartoon, "Just a year after that stereotype-laden Tom and Jerry cartoon was released, Boston Braves owner George Preston Marshall decided in 1933 to change the franchise's name from the Braves (another name with a racial history) to the Redsk\*ns."<sup>20</sup>

Marshall carried out this mimicry and mockery across his marketing efforts from the very beginning of the team's formation. He was well known for requiring the coach Dietz and players "to wear Indian feathers and put on war paint before home games" and according to Cliff Battles, a non-Native member of the team in the 30's, players would do so and "do a little Indian dance to entertain the paying customers. None of us liked that very much...it was embarrassing."<sup>21</sup>

1932 was also near the end of what many consider the Assimilation Era for tribal nations and Native peoples. Forced assimilation and removal of children had led to hundreds of thousands of children being taken away from their families and homes – forced to cut their hair and reject their heritage, their blood, and their skin color. By 1932, the sale of unclaimed land and allotted land also resulted in the loss of two-thirds of the more than 100-million acres Native Americans had held prior to the Dawes Act, signed into law in 1887.

Most importantly, in 1932, the federal "Civilization Regulations" were still in full force and effect. They did not permit Native peoples to leave their reservations and criminalized all traditional tribal ways. They outlawed the Sun Dance and all other "so-called religious ceremonies" and directed federal Indian agents to "undertake a careful propaganda against the dance." For sports teams to use a dancing "Indian" mascot was to mock the confinement of actual Indian people. To use "Indian" names or symbols was illustrating what many Americans believed was true history of white domination and control of Native peoples, even to the length of their hair and the language their children could speak (English). The practice of "Indianizing" a team's identity was an act and message of white superiority and dominance.

After moving the team to Washington, DC from Boston in 1938, Marshall continued to refuse to hire African American players. Throughout the late 50's and early 60's Marshall kept fighting a losing battle against the rising tide of racial equality. In the late 1950s, Marshall ordered the lyrics of the now infamous team fight song be changed from "fight for old D.C." to "fight for old Dixie."<sup>22</sup> His intentions became clear during the Kennedy Administration's efforts to encourage the team to integrate, given that the team's stadium was on federal land, telling the New York Times in 1961, "We take most of our players out of Southern colleges and are trying to appeal to Southern people...Those colleges don't have any Negro players."<sup>23</sup>

During the same time, members of the American Nazi Party "demonstrated in D.C. with placards reading KEEP REDSK\*NS WHITE." And in the final period of negotiations Marshall said, "We'll start signing Negroes when the Harlem Globetrotters start signing whites."<sup>24</sup> The team and Marshall finally capitulated in 1962, after the NFL negotiated a deal to help the team avoid eviction from federal land, agreeing to sign an African American player to the team by the end of 1962. In 1962, the Washington Football team became the last team to sign an African American to their roster.

In 1963, Marshall suffered a debilitating stroke. In 1967, just two years before his death and just three years after the Civil Rights Act of 1964, the Washington football team registered its trademark for "Redsk\*ns," attempting to solidify its mark in history for good and protect Marshall's legacy.

In 1968 - just one year after the trademark was registered - NCAI and the Native community began a campaign to eliminate negative stereotypes of Native peoples in popular culture. What followed was a nearly 25-year effort by the Native community to convince the Washington team to voluntarily change its name, sending the team owner letters and offering options for the team to make changes to right the wrong.

**Myth: NCAI gave the football team their current mascot/logo.** Historian Michael Richman reports in his book *The Redsk\*ns Encyclopedia*, based on a 2002 Washington Post interview, that, "In the early-1970s, Walter "Blackie" Wetzel, president of the National Congress of American Indians and chairman of the Blackfoot tribe, urged the Redsk\*ns to replace the "R" logo on their helmets with the head of an Indian chief."<sup>25</sup>

**Fact:** Mr. Wetzel was not President of NCAI at the time he took these reported actions and these actions were not taken on behalf of NCAI's members. Mr. Wetzel served honorably as President of NCAI from 1960 to 1964 - however he was not President of NCAI when he reportedly contacted the football team. In 1965 the team changed the logo from an "Indian" mascot to a spear and in 1970 to an "R". In 1972 the team's logo was reverted to a newer version of the original "Indian" mascot logo dating back to the original Boston Braves logo. <sup>26</sup>

In 1992, members of the Native community filed a petition before the US Patent and Trademark Office's (PTO) Trademark Trial and Appeal Board, requesting cancelation of the six trademark licenses for Redsk\*ns that the PTO granted to Pro Football, Inc, between 1967 and 1990. In 1993, NCAI took a formal position against the team name issuing the following resolution: "Resolution in Support of the Petition for Cancellation of the Registered Service Marks of the Washington Redsk\*ns AKA Pro-Football, Inc."

In the resolution NCAI stated that:

"[T]he term REDSK\*NS is not and has never been one of honor or respect, but instead, it has always been and continues to be a pejorative, derogatory, denigrating, offensive, scandalous, contemptuous, disreputable, disparaging, and racist designation for Native Americans."

In 1999, a three-judge panel of the PTO's Trademark Trial and Appeal Board ruled unanimously in favor of the plaintiffs, finding that the Redsk\*ns trademark "may be disparaging of Native Americans to a substantial composite of this group of people," and "may bring Native Americans into contempt or disrepute." According to news reports, "between 1996 and 2002, the patent office rejected at least three attempts by the Redsk\*ns to register new brands using the word, in each case citing disparagement as the grounds for action."<sup>27</sup>

The PTO decision was overturned by a federal District court judge on a technicality, *laches*, with the unique interpretation to mean that each of the plaintiffs waited too long after turning 18 to bring the case forward. NCAI was an amicus curiae, along with the National Indian Education Association, the National Indian Youth Council and the Tulsa Indian Coalition Against Racism, in a brief filed by the Native American Rights Fund before the federal Court of Appeals, which did not rule on the merits of the case, but upheld the *laches* technicality.

In 2009, NCAI filed an amicus brief along with four tribal governments (Cherokee Nation of Oklahoma, Comanche Nation of Oklahoma, Oneida Indian Tribe of Wisconsin, and Seminole Nation of Oklahoma – all federally recognized Indian tribes that have adopted resolutions condemning the use of Indian names and mascots by sports teams), as well as over 20 national Indian organizations, requesting that the US Supreme Court hear an appeal to the lower court rulings and uphold the PTO's decision.<sup>28</sup>

The Supreme Court eventually denied hearing the appeal. However, the message of the amicus in the 2009 filing led by NCAI was clear, and outlined the following points:

- **The Trademark "Redsk\*ns" is Harmful** – As was declared by the Trademark Trial and Appeal Board, "Redsk\*ns" is a pejorative term for Native Americans and is a registered trademark that disparages an entire group and perpetuates a centuries old stereotype. The logo and term "Redsk\*ns" should never have been registered as a federally protected trademark;
- **The Term is Harmful to Native Peoples** - To many Native Americans, the term "Redsk\*ns" is associated with the barbaric practice of scalping. The record in this case is replete with evidence of bounty proclamations issued by the colonies and companies. These proclamations demonstrate that the term "Redsk\*ns" had its origins in the commodification of Indian skins and body parts; these "Redsk\*ns" were required as proof of Indian kill in order for bounty hunters to receive payment and these skins of genitalia (to differentiate the skins of women and children from men, in order for bounty payers to pay on a sliding scale for the exact dead Indian) were referred to as scalps (while hair from the head was referred to as top-knots);<sup>16</sup>
- **The Native community has led a long standing effort to change the name** - In 1963 – four years before the Washington franchise first filed for trademark protection – the National Indian Youth Council was formed and began working on campuses, most notably the University of Oklahoma, to eliminate its mascot, "Little Red," and always made the case about the worst "Indian" reference, the one in the nation's capital, the Red\*kins. In 1968, – just one year after Pro-Football gained its first license for the "Red\*kins" mark – the Native American community commenced a broad-scale effort to eradicate the use of all "Native" names and symbols. In 1972, representatives of NCAI, the American Indian Press Association, the American Indian Movement, and others reached out directly to the team owner to request that the franchise change its name. And since that time there have been substantial efforts to protest the name and call for the name change.

In 2005, when it seemed like *laches* would be the escape for the Washington franchise, the identical lawsuit for trademark cancellation was organized with Native young people between the ages of 18 and 24, who filed *Blackhorse et al v. Pro Football, Inc.*, before the PTO in 2006. The case was accepted, but held in abeyance, pending the outcome of the first case. The second case proceeded to trial in 2010; a hearing was held before the three TTAB judges in March of 2013 and the parties await their decision.

In the meantime, six requests for new trademarks of the same disparaging name had been held by the PTO. The appropriate protests were made and accepted in the PTO, *Harjo et al Letters of Protest*, and those matters are suspended until the completion of the *Blackhorse* case.

## CHANGE AT THE HIGH SCHOOL LEVEL

While, the Washington football team justifies retaining its offensive name by pointing to schools throughout the nation that share its name, many schools have changed or are in the process of changing derogatory team names.

According to a 2013 report by Capital News Service "62 high schools in 22 states currently use the Redsk\*ns name, while 28 high schools in 18 states have dropped the mascot over the last 25 years." This represents more than one name change per year at the high school level. The report also indicated that out of the "total of 46,671 students at the 62 schools that use the name Redsk\*ns" only "2.3 percent of the students are Native American" while white students make up 64.2 percent of the student population at these schools.<sup>29</sup>

### The Last 25 Years - High Schools Dropping the "R" Word<sup>29</sup>

1. Oak Park High School - Oak Park, MI (1990) - Knights
2. Idaho Deaf & Blind School - Gooding, ID (early 1990s) - Raptors
3. Grand Forks Central School - Grand Forks, ND (1992) - Knights
4. Naperville High School - Naperville, IL (1992) - Redhawks
5. Arvada High School - Arvada, CO (1993) - Bulldogs
6. Goffstown High School - Goffstown, NH (1994) - Grizzlies
7. North River High School - Cosmopolis, WA (1995) - Mustangs
8. Seneca High School - Louisville, KY (1997) - Redhawks
9. Marist High School - Chicago, IL (1997) - Redhawks
10. Mountain Empire School - Pine Valley, CA (1997) - Redhawks
11. Iowa Falls-Alden High School - Iowa Falls, IA (1999) - Cadets
12. Frontier Regional School - Deerfield, MA (2000) - Red Hawks
13. Rickards High School - Tallahassee, FL (2000) - Raiders
14. Canajoharie High School - Canajoharie, NY (2000) - Cougars
15. Hiawatha High School - Hiawatha, KS (2001) - Red Hawks
16. Parsippany High School - Troy Hills, NJ (2001) - Red Hawks
17. Scarborough High School - Scarborough, ME (2001) - Red Storm
18. Saranac Lake High School - Saranac Lake, NY (2001) - Red Storm
19. Glenwood High School - Chatham, IL (2001) - Titans
20. Milford High School - Highland Township, MI (2002) - Mavericks
21. Huntley High School - Huntley, IL (2002) - Red Raiders
22. Edmondson-Westside School - Baltimore, MD (2002) - Redstorm
23. Marshall High School - Marshall, MI (2005) - Redhawks
24. Cardinal Gibbons High School - Ft. Lauderdale, FL (2006) - Chiefs
25. Wiscasset High School - Wiscasset, ME (2011) - Wolverines
26. Colusa High School - Colusa, CA (2011) - RedHawks
27. Red Lodge High School - Red Lodge, MT (2011) - Rams
28. Sanford High School - Sanford, ME (2012) - Spartans



## RECENT DEVELOPMENTS IN WASHINGTON FOOTBALL TEAM NAME CHANGE

In response to the latest legal and public challenges to the team's name and brand, current team owner Dan Snyder has followed in the legacy of his predecessor George Preston Marshall, going so far as to say that the team would "NEVER" change the name, in response to a question from USA Today.<sup>30</sup>

In the last year there has been a marked increase in public awareness related to the Washington football team name and the call for a change.

- **Prominent Leaders take a Stand Against Washington Team Name** – In October 2013, President Obama noted that the team name is offensive to a "sizeable group of people" and affirmed the "real and legitimate concerns" of Native peoples. He encouraged the effort to change the name.

Congressional leaders have called for the Washington football team and the NFL that it is time to move on from the harmful ways of the past. Introduced by members of the House in March of 2013, H.R. 1278, would amend the Trademark Act of 1946, banning the term and canceling the federal registrations of trademarks using term.

Members of the District of Columbia City Council and government came forward in 2013 with new concerns about the name. Specifically, DC Mayor Vincent Gray suggested that a return to the nation's capital from their current location in Maryland would require the team to adopt a name change. Additionally, a new resolution was discussed by DC Council member David Grosso calling for the name to be changed to Red Tails in honor of the Tuskegee Airman.

- **NFL Leadership and Former Players Lend Support to Change Efforts** – Throughout 2013, in League responses to racial insensitivity, Commissioner Rodger Goodell has noted that "if one person is offended [by the R word] we have to listen"<sup>31</sup> and directly responded to President Obama's comments by noting that "it is important that we listen to all perspectives."<sup>32</sup> In response to the Riley Cooper scandal (involving use of the "N word"), Goodell noted that racial language is "obviously wrong, insensitive, and unacceptable."

In July 2013, former Washington Hall of Famers Art Monk and Darrell Green said a name change "deserves and warrants conversation" because it is offensive to Native peoples.<sup>33</sup>

- **Media Outlets Drop the "R" Word** – In 2013 a number of major media outlets and prominent sports reporters announced they would stop using the name of the team; media outlets - Slate, Mother Jones, the New Republic, and prominent reporters – *Sports Illustrated's* Peter King and USA Today sports writer Christine Brennan both agreed to end using the name of the team in articles.<sup>34</sup> Previously five newspapers had adopted policies forbidding the use of "Redsk\*ns" to identify sports teams: the Oregonian (Portland, Ore.); the Portland (Maine) Press Herald; The St. Cloud (Minn.) Times; the Kansas City (Mo.) Star, and the Lincoln (Neb.) Journal Star.

## VII. HARMFUL MASCOTS: RACIAL EQUITY AND SOCIAL JUSTICE

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Addressing the issue of harmful "Indian" mascots in the NFL and in other sports institutions is not a matter of political correctness. Instead, it is a matter of racial equity and justice and requires the courage of society to stand up against a perceived accepted norm and overcome racism.

Many professional sports teams – including the Washington football team - have attempted to use public opinion polling to show that there is not support for changing harmful stereotypes. However, polling as a litmus test for society's acceptance and movement toward racial equity is flawed and continues to be flawed.

Historically, polling on racial equity perceptions is a misleading indicator for social and policy change. For example, in 1942 white people were asked if there should be separate restaurants for "Negroes and white people," 69 percent said yes, blacks should eat separately. In 1946, 63 percent of the United States felt that the African American communities were being treated fairly. According to a Gallup poll in 1958, 94 percent of America disapproved of marriage between blacks and whites. Six years later in 1964 Congress passed the Civil Rights Act and in 1967 bans on interracial marriage were deemed unconstitutional.

Highlighting public opinion polls or surveys has been an ongoing strategy of the Washington football team in an attempt to justify the team name and discredit the long standing opposition to the team's name.

In 2001, an *Indian Country Today* poll revealed that "over eighty per cent of respondents took offense at the use of Native American mascots;" yet a poll a year later in 2002 by *Sports Illustrated* found just the opposite, in nearly the same percentages." Two years later "a 2004 Annenberg poll reported that more than ninety per cent of Native Americans did not take issue with Washington's use of the name Redsk\*ns."<sup>35</sup> Neither the *Sports Illustrated* or Annenberg poll verified that the people they were talking to actually were Native people. They did not ask any questions that would have made a case that the people being polled were Native. The *Indian Country Today* poll was among readers who were likely to be informed about Native issues, if not informed Native people.

For a national poll to include Native Americans, the overall sampling would need to be huge, in order to adequately include a statistically significant sampling of a population as small as Native people in the United States. This has not been done, so any national poll that purports to reflect Native opinion (other than among readers, listeners or viewers of a specific local media network) is misrepresenting Native opinion.

In April of 2013 the Washington football team heralded an Associated Press and GK Roper Public Affairs & Corporate Communications poll,<sup>36</sup> the results of which were based on 1,004 telephone interviews conducted in English or Spanish, framing the question in this way:

"Some people say that the Washington Redsk\*ns should change its team name because it is offensive to native American Indians. Others say the name is not intended to be offensive, and should not be changed. What about you: Should the Redsk\*ns change their team name, or not?"

Demographics of 2013 poll show that respondents who were asked the question were mostly white (65 percent), middle-aged (55 percent, 30-64), conservative to moderate (70 percent) pro football fans (56 percent), and nearly one-quarter (23 percent) were Tea Party supporters. Two percent said they were American Indian/Alaska Native, but they were not asked whether they were citizens of tribal nations, or if they spoke a Native language or needed a translator. Results of the poll showed that the misleading questions led to the mostly white respondents, 79 percent saying "no," the team's name should not be changed; 11 percent said change the name; 8 percent don't know; and 2 percent, no response.

Just months later the Washington Post conducted a poll in June of 2013,<sup>37</sup> the results of which exhibited the contradictory nature of people's position on the issue. The Washington Post found that, "a large majority of area sports fans say the Washington Redsk\*ns should not change the team name, even though most supporters of the

nickname feel the word "redsk\*n" is an inappropriate term for Native Americans." More specifically, "among those who want to keep the Redsk\*ns' name, most (Among Redsk\*ns fans, about eight in 10) — 56 percent — say they feel the word "redsk\*n" is inappropriate."

While the results of these types of polls will continue to be unclear and vary by source, it is evident that leadership across society is needed to move the ball forward on racial equity for Native peoples including on the issue of harmful "Indian" mascots.

As African Americans achieved racial equity over the last two centuries, the systems of communicating racial violence through culture, such as sports logos quickly became a practice of the past. Today's harmful "Indian" mascots are very much an extension of the commercialization of race such as black face and African-American stereotypes like "Black Sambo" and Hispanic stereotypes like "Frito Bandito". However for American Indians, the gap in racial equity is represented by the stubborn grip professional sports teams hold on their "Indian" marketing symbols.

The advancement of society through racial equality has always come about because of the political and social courage of citizens, legislators, businesses, and consumers to change legal frameworks, cultural norms, and social practices that encourage racism to permeate society. This fact remains the same today in relation to harmful "Indian" mascots. As society continues to perpetuate harm through cultural practices, racial and social equity for Native people will remain elusive.

American businesses, political leaders, institutions, and individuals must act to advance a more equal and just society for all people, and the time to advance equality for America's first people is long overdue. To truly honor Native peoples and our unique historical and contemporary place in American society, leaders, citizens, and even sports fans must step forward and act to end harmful "Indian" mascots once and for all.

## VIII. REFERENCES

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### APPENDIX A - Time Line of Race & Change – The Washington Football Team

As is noted in the following information, this level of racism, specifically connected with the Washington football team can be tracked in parallel with these very same systems which were in place to restrict the equal rights of African Americans – and are directly connected to the team's original owner, George Preston Marshall.

**1900** – The American Indian population is at an all-time low of 250,000, and is popularly known as the “Vanishing American.”

**1919** – Native veterans of WWI are rewarded with U.S. citizenship, while most American Indian people are not allowed to leave reservations without written permission and are punished for exercising their tribal traditions.

**1924** – The Indian Citizenship Act is signed into law, allowing Indian citizens to vote, while most Native peoples remain confined to reservations and subjected to the “Civilization Regulations” that criminalized all traditional practices, dances, ceremonies, and ways.

**1928** - Boston Braves football team created. Indian headdress logo adopted.<sup>26</sup>

**1932** – Racial tension increases across United States as unemployment rate reaches 24% nationally. Half of all black Americans unemployed. Slogans “No jobs for [N-word] until every white man has a job” or “[N-word]s back to the cotton fields. City jobs are for white men.” Between 1932-’33 reported lynching’s rose from eight to 28.

**1932** – George Preston Marshall buys the NFL team the Boston Braves from partners making him the sole owner.

**1932** - Boston Braves finish fourth as the newest team in NFL. Ticket sales for Braves games down as Great Depression continues.

**1933** – Coach William “Lone Star” Dietz formally hired as Boston Braves coach.

**1933** - In move to Fenway Park, Boston Braves - renamed Boston Redsk\*ns.

**1933** – NFL owners, including Marshall who is said to have the led effort, adopt “undeclared ban” excluding African-Americans from playing professional football.

**1934** – Purported Native American, “Lonestar” Dietz fired as coach of the Boston Redsk\*ns after a year and a half – record as coach - 11 wins –11 loses.

**1935** – The Roosevelt Administration withdraws “Civilization Regulations,” ending over a half century of religious, cultural, and social repression of American Indians, removing criminal sanctions for dancing and conduction ceremonies and exercising traditional tribal ways.

**1938** – After financial loses, Marshall moves Boston Redsk\*ns to Washington, DC. Team becomes Washington Redsk\*ns.

**1946** – NFL reintegrates after 13 year ban – African-American players signed by NFL teams, Washington Redsk\*ns does not sign African-American player for another 16 years.

**1947** – Major League Baseball integrates - Jackie Robinson, first African-American since 1880's to play for the Brooklyn Dodgers.

**1954** – United States Supreme Court rules in Brown v. Board of Education that public school segregation violates the equal protection clause of the 14th amendment.

**1955** – U.S. Supreme Court calls on lower courts to issue school desegregation orders.

**1956** – White mobs attempt to block desegregation of high schools in Clinton Tennessee. Tennessee Governor Frank Clement orders the National Guard to restore order.

**1958** - Gallup poll - 94% of America disapproved of marriage between blacks and whites.

1959 - Marshall changes lyrics of team song from "fight for old D.C." to "Fight for old Dixie.

1961 - President's Committee on Equal Employment Opportunity Commission established by President Kennedy in Executive Order 10925 to investigate racial discrimination by government contractors.

1961 - In memo to President Kennedy, Interior Secretary Stewart Udall writes, "George Marshall of the Washington Redsk\*ns is the only segregationist hold-out in professional football. He refuses to hire Negro players even though [sic] Dallas and Houston, Texas have already broken the color bar. The Interior Department owns the ground on which the new Washington Stadium is constructed, and we are investigating to ascertain whether a no-discrimination provision could be inserted in Marshall's lease."

1961 - Marshall tells NY Times, "We take most of our players out of Southern colleges and are trying to appeal to Southern people...Those colleges don't have any Negro players."<sup>23</sup>

1961 - "American Nazi Party members...demonstrated in D.C. with placards reading KEEP REDSK\*NS WHITE."

1962 - Team owner Marshall says - "We'll start signing Negroes when the Harlem Globetrotters start signing whites."

1962 - NFL and Interior come to agreement as Washington football team agrees to integrate by end of 1962.

1962 - Washington Redsk\*ns become last team to "integrate" - African American players signed to team.

1963 - Dallas Texans renamed in move as the Kansas City Chiefs. No professional sports team has adopted a Native team name since.

1964 - Civil Rights Act of 1964 enacted.

1967 - Washington football team establishes registered trademark for "Redsk\*ns".

1968 - NCAI establishes campaign to address Native American stereotypes in print and other media.

1972 - NCAI and other organizations meet with team owner Edward Bennett Williams to ask for a name change - that was the last meeting any team owner ever had with Native people who oppose the team's name.

1989 - During the 1988 NFC championship game, Fans Against Indian Racism ("FAIR") sponsored a banner flown above RFK Stadium demanding: "MAKE WASHINGTON AMERICA'S TEAM. CHANGE THE NAME."

1992 - Super Bowl prompted four days of actions by approximately 3,000 Native Americans and their allies at the Metrodome in Minneapolis.

1992 - Petition filed by seven Native plaintiffs, *Harjo et al v. Pro Football, Inc.* before the U.S. Patent and Trademark Office' (PTO), requesting the cancelation of six trademark licenses the PTO granted to the Washington NFL franchise for the disparaging name, Red\*kins.

1999 - The three-judge panel of the PTO's Trademark Trial and Appeal Board (TTAB) rules in favor of the Native plaintiffs, finding that the Red\*kins trademark "may be disparaging of Native Americans to a substantial composite of this group of people," and "may bring Native Americans into contempt or disrepute."

2003 - Federal District Court rules for Pro Football, Inc., on a technicality, *laches*, saying that each of the Native plaintiffs waited too long after turning 18 to file the lawsuit.

2006 - Six Native American young people, ages 18 to 24,, file *Blackhorse et al v. Pro Football, Inc.*, the identical petition before the U.S. PTO, which holds it in abeyance, pending the outcome of the *Harjo* case.

2007 - The Native American Rights Fund filed an amici brief before the Court of Appeals for NCAI, the National Indian Education Association, the National Indian Youth Council and the Tulsa Indian Coalition Against Racism.

2009 - NCAI filed an Amicus Brief along with four tribal governments (Cherokee Nation of Oklahoma, Comanche Nation of Oklahoma, Oneida Indian tribe of Wisconsin, and Seminole Nation of Oklahoma), as

well as over 20 national Indian organizations, requesting that the US Supreme Court hear an appeal to the lower court rulings to overturn the TTAB's decision.

**2009** - United States Supreme Court denied writ of certiorari for review. Upholding lower court decisions to overturn US TTAB decision in revoking trademark.

**2013** - Three-judge panel of the TTAB holds hearing in *Blackhorse* case..

**2013** - Mayor Vincent Gray stated that the team would need to consider a name change if they desired to move the football team into the district. (The Washington Football team currently plays its games in Landover, Maryland.)

**2013** - DC Councilman David Grasso offers a resolution calling for a name change to Red Tails to honor Tuskegee Airmen.

**2013** - Dan Snyder refuses to change name of Redsk\*ns team, telling the USA Today, team will "NEVER" change its name.

**2013** - H.R. 1278, legislation offered by bipartisan group of Representatives to address Washington football team trademark issue.

**2013** - Slate, Mother Jones, the New Republic, and prominent reporters - Sports Illustrated's Peter King and USA Today sports writer Christine Brennan - drop the "R" word.

**2013** - For the third time, the Washington Post editorial board calls for team to change the Washington football team name.

**2013** - President Barack Obama lends his support to the change effort noting the team's name is offensive to a "sizeable group of people" and raises "real and legitimate concerns."

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## **APPENDIX B - TIMELINE OF SELECTED COLLEGE/UNIVERSITY MASCOT NAME CHANGES AND OTHER IMPORTANT EVENTS ADDRESSING "INDIAN" MASCOTS**

**1963** - The National Indian Youth Council forms and Clyde Warrior and others begin organizing on college campuses to remove "Indian" sports stereotypes, starting with the University of Oklahoma and its mascot, "Little Red."

**1968** - NCAI organizes a national campaign to focus on ending "Indian" references in American sports.

**1969** - The National Indian Education Association organizes Native educators, school board members, parents and students around removal of all "Indian" names, symbols and behaviors associated with sports teams.

**1970** - The University of Oklahoma retires its mascot, "Little Red," in use since the 1940s, becoming the first school to stop the use of any "Native" sports stereotype.

**1971** - Marquette University in Wisconsin abandons its "Willie Wampum" mascot for "Chief White Buck" and then "First Warrior" and then "Warriors," and in 1994 ends all use of "Indian" names and imagery for the "Golden Eagles."

**1972** - Dickenson State in Pennsylvania trades "Savages" for "Blue Hawks."

**1973** - Stanford University in California drops its "Indians" team name and imagery, re-emphasizing its color, "Cardinals."

**1973** - Eastern Washington University ended its "Savages" mascot and replaced it with "Eagles."

1974 – Dartmouth College in New Hampshire drops its "Indian" team name, re-emphasizing its color, "Big Green."

1975 – St. Bonaventure University in New York ends the "Brown Squaw" name for the women's teams and 20 years later replaces "Brown Indian" with "Bonafanatic."

1978 – Syracuse University in New York drops its "Onondaga chief, O-gee-ke-da Ho-achen-ga-da, the saltine warrior Big Chief Bill Orange," aka "Saltine Warrior" mascot and re-emphasizes its color, "Orange," which later becomes "Orange," the fruit.

1980 – Southern Oregon shortens "Red Raiders" to "Raiders."

1988 – Siena College in New York changes "Indians" to "Saints," with "Measles" coming in a close second in the student vote, following a school-wide epidemic of the disease.

1988 – St. Mary's College changes "Red Men" to "Cardinals."

1989 – Brainerd Community College in Minnesota goes from "Red Raiders" to "Raiders."

1990 – The Morning Star Institute, the Council of Elders and Youth and The 1992 Alliance issue a *Call for the Sports Industry and Advertising World to End the Emotional Violence Perpetuated on Native Youth by Mascots, Cartoons and Caricatures of Native Peoples*.

1991 – Eastern Michigan change "Hurons" to "Eagles."

1992 – Simpson College ends "Redmen" and "Lady Reds" in favor of "Storm" and "Thundercats."

1994 – St. John's University in New York, the largest Catholic university in the United States, changes its "Redmen" team name to "Red Storm."

1996 – Miami University of Ohio drops its "Red\*kins" team name for "RedHawks."

1996 – The University of Tennessee at Chattanooga stops using its mascot, "Chief Moccannooga."

1996 – Adams State University changes its mascot from "Indian" to "Grizzly."

1998 – Oklahoma City University gives up "Chiefs" for "Stars."

1998 – Southern Nazarene University in Oklahoma replaces "Red\*kins" with "Crimson Storm."

1998 – Morningside College replaces its "Maroon Chiefs" with "Mustangs."

2000 – Seattle University changed its mascot from "Chieftains" to "Redhawks."

2001 – Southwestern College goes from the "Apaches" to the "Jaguars."

2001 – Cumberland College changes from "Indians" to "Patriots."

2001 – U.S. Commission on Civil Rights issues its "Statement on the Use of Native American Images and Nicknames as Sports Symbols."

2003 – The Native American Journalists Association issues its *Reading Red Report 2003: A Call for the News Media to Recognize Racism in Sports Teams Nicknames and Mascots*.

- 2005 – The NCAA announced a ban on the use of American Indian mascots during its postseason tournaments, finding that such mascots are hostile and abusive to Native people.
- 2005 – Stonehill College drops its “Chieftains” mascot for the “Skyhawk.”
- 2006 – Northeastern State University changes from “Redmen” to “RiverLHawks.”
- 2006 – Bradley University in Illinois stops using Native imagery, but retains “Braves.”
- 2006 - Alcorn State University keeps “Braves” name, but discontinues use of “Indian” imagery.
- 2006 – The College of William & Mary was forced by the NCAA to drop the feathers from its logo; the College had changed its team name from “Indians” to “Tribe” in the 1970s.
- 2006 - University of Louisiana at Monroe trades “Indians” for “Warhawks.”
- 2007 – The University of Illinois at Urbana-Champaign gets rid of its mascot, “Chief Illiniwek,”
- 2008 - The Arkansas State University replaced its mascot, “Indians,” with “Red Wolves.”
- 2013 – The University of North Dakota ended the long running conflicts over “Fighting Sioux,” after all legal challenges were concluded in 2013 and after a statewide ballot initiative to keep the team name was defeated by a two-thirds no vote in 2012.

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## APPENDIX C – 2009 US SUPREME COURT AMICUS BRIEF SUPPORTERS

Groups that filed the 2009 amicus brief in support of the petition for the case to be heard before the U.S. Supreme Court:

- National Congress of American Indians (NCAI)
- Cherokee Nation of Oklahoma
- Comanche Nation of Oklahoma
- Oneida Indian Tribe of Wisconsin
- Seminole Nation of Oklahoma
- National Indian Education Association (NIEA)
- National Indian Youth Council (NIYC)
- National Indian Child Welfare Association (NICWA)
- American Indian Higher Education Consortium (AIHEC)
- American Indian College Fund (AICF)
- National Native American Law Association (NNALSA)
- Tulsa Indian Coalition Against Racism (TICAR)
- Capitol Area Indian Resources (CAIR)
- American Indian Studies – University of Illinois (Urbana Champaign) (AIS-UI)
- Native American House (NAH)
- Wisconsin Indian Education Association (WIEA)
- Native Americans at Dartmouth (NAD)
- Native Americans at Brown (NAB)
- National Institute for Native Leadership in Higher Education (NINLHE)
- Society of American Indian Government Employees (SAIGE)



Native American Journalists Association (NAJA)  
Native American Finance Officers Association (NAFOA)  
Indigenous Democratic Network (INDN's List)  
Americans for Indian Opportunity (AIO)  
Alianza Indígena Sin Fronteras (Alianza)  
International Indian Treaty Council (IITC)

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## **APPENDIX D – GROUPS WITH RESOLUTIONS TO END HARMFUL MASCOTS**

Groups that have adopted resolutions calling for the retirement of Indian names and mascots in sports (list is not necessarily exhaustive):

American College Personnel Association (ACPA)  
American Counseling Association  
American Psychological Association (APA)  
Cherokee, Chickasaw, Choctaw, Muskogee, and Seminole Nations (Oklahoma)  
Comanche Nation of Oklahoma  
Great Lakes Inter-Tribal Council  
Maryland Commission on Indian Affairs  
Menominee Indian Tribe of Wisconsin  
Metropolitan Washington Council of Governments\* - specifically Washington "Redsk\*ns"  
Michigan State Board of Education  
National Congress of American Indians (NCAI)  
National Education Association  
National Indian Education Association  
Nebraska Commission on Indian Affairs  
New Hampshire State Board of Education  
Oneida Tribe of Indians of Wisconsin  
Oregon Indian Education Association (OIEA)  
Tennessee Commission of Indian Affairs  
Washington State Board of Education  
Wisconsin Education Association Council

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## **APPENDIX E - GROUPS SUPPORTING END TO HARMFUL MASCOTS**

Organizations that have endorsed the retirement of Native American names, mascots and logos from sports (list is not necessarily exhaustive):

Advocates for American Indian Children (California)  
The Affiliated Tribes of Northwest Indians  
American Anthropological Association  
American College Personnel Association  
American Counseling Association  
American Indian Mental Health Association (Minnesota)  
American Indian Movement

American Indian Opportunities Industrialization Center of San Bernardino County  
 American Indian Student Services at the Ohio State University  
 American Jewish Committee  
 American Psychological Association  
 American Sociological Association  
 Asian American Journalists Association  
 Associated Students Council of San Diego State University  
 Association on American Indian Affairs  
 BRIDGES - Building Roads Into Diverse Groups Empowering Students  
 Buncombe County Native American Intertribal Association (North Carolina)  
 Calvert Investment Group  
 Center for Artistic Revolution (CAR) (Arkansas)  
 Center for the Study of Sports in Society  
 Cincinnati Zapitista Coalition  
 COLOR - Community One Love One Race  
 Committee to End Cultural Genocide (St. Cloud State University)  
 Concerned American Indian Parents (Minnesota)  
 Council for Indigenous North Americans (University of Southern Maine)  
 Eagle and Condor Indigenous Peoples' Alliance  
 Fontana Native American Indian Center, Inc.  
 Governor's Interstate Indian Council  
 Grand Traverse Band of Ottawa and Chippewa Indians (Michigan)  
 Greater Tulsa Area Indian Affairs Commission  
 Great Lakes Inter-Tribal Council  
 Gun Lake Band of Potawatomi Indians (Michigan)  
 HONOR - Honor Our Neighbors Origins and Rights  
 Hutchinson Human Relations Commission  
 Illinois State University Student Government Association  
 Inter-Ethnic Children's Council (Los Angeles)  
 Inter-Faith Council on Corporate Responsibility (ICCR)  
 Inter-Tribal Council of the Five Civilized Tribes  
 (Composed of the Choctaw, Chickasaw, Muskogee (Creek), Cherokee, and Seminole Nations)  
 Juaneño Band of Mission Indians  
 Kansas Association for Native American Education  
 Latino Children's Action Council (Los Angeles)  
 League of United Latin American Citizens  
 Little River Band of Ottawa Indians  
 Maryland Commission on Indian Affairs  
 Mascot Abuse San Francisco Bay Area  
 Medicine Wheel Intertribal Association  
 Menominee Tribe of Indians (Wisconsin)  
 Michigan Civil Rights Commission  
 Michigan Education Association  
 State of Michigan, State Board of Education  
 Metropolitan Washington Council of Governments\* - specifically Washington "Redsk\*ins"  
 Minnesota Indian Education Association

Minnesota State Colleges and Universities Board  
Minnesota State Board of Education  
Modern Language Association  
Morning Star Institute  
National Association for the Advancement of Colored People (NAACP)  
National Association of Black Journalists  
National Association of Hispanic Journalists  
National Coalition on Racism in Sports and the Media  
National Conference of Christians and Jews  
National Conference for Community and Justice  
National Congress of American Indians  
National Education Association  
National Indian Education Association  
Native American Caucus of the California Democratic Party  
Native American Indian Center of Central Ohio  
Native American Journalists Association  
Native American Rights Fund  
Nebraska Commission on Indian Affairs  
New Hampshire State Board of Education  
New York State Education Department  
Nottawaseppi Huron Band of Potawatomi (Michigan)  
North American Society for the Sociology of Sport  
North Carolina Commission of Indian Affairs  
North Dakota Indian Education Association  
North Dakota State University Student Senate  
Office of Native American Ministry, Diocese of Grand Rapids (Michigan)  
Ohio Center for Native American Affairs  
Oneida Tribe of Indians of Wisconsin  
Oregon Indian Education Association  
Presbyterian Church, U.S.A.  
Progressive Resource/Action Cooperative  
Rainbow Coalition  
San Bernardino/Riverside Counties Native American Community Council  
Students Making All Races Tolerant (SMART)  
Society of Indian Psychologists of the Americas  
Southern California Indian Center  
Southern Christian Leadership Conference  
St. Cloud State University - American Indian Center  
Sault Ste. Marie Tribe of Chippewa Indians  
Standing Rock Sioux Tribe  
Tennessee Chapter of the National Coalition for the Preservation of Indigenous Cultures  
Tennessee Commission of Indian Affairs  
Tennessee Native Veterans Society  
Unified Coalition for American Indian Concerns, Virginia  
Unitarian Universalist Association of Congregations  
United Church of Christ

The United Indian Nations of Oklahoma  
United Methodist Church  
United States Commission on Civil Rights  
Virginia American Indian Cultural Resource Center  
Washington State Board of Education  
Western North Carolina Citizens for an End to Institutionalized Bigotry  
Wisconsin Education Association Council  
Wisconsin Indian Education Association  
WIEA "Indian" Mascot and Logo Taskforce (Wisconsin)  
Wisconsin State Human Relations Association  
Woodland Indian Community Center-Lansing (Michigan)  
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