soil. I know that not every Muslim supports these actions. Dr. Zuhdi Jasser of the American Islamic Forum for Democracy has spoken out in a clear and consistent way. So has Zainab al-Suwaij of the American Islamic Congress.

But the silence in the face of extremism coming from the best-funded Islamic advocacy organizations and many mosques across America is absolutely deafening. It casts doubt upon the commitment to peace by adherents of the Muslim faith. This is utterly unacceptable, it is dangerous, it must end.

CHANGE THE NAME OF THE NATIONAL FOOTBALL LEAGUE'S WASHINGTON FOOTBALL FRANCHISE

The SPEAKER pro tempore. The Chair recognizes the gentleman from American Samoa (Mr. FALEOMAVAEGA) for 5 minutes.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today to decry the disparaging name of the National Football League's Washington, D.C., franchise, the Redskins, which I will refer to as the ''R-word.'' For decades, Native American leaders and organizations have advocated for an end to the use of the ''R-word'' as the Washington franchise's ''brand'' because it is derogatory, it is demeaning, and patently offensive.

Recently, 10 of our colleagues explained the violent history and disparaging nature of the ''R-word'' in a letter to Mr. Roger Goodell, commissioner of the NFL. In what can only be deemed as an insensitive and ignorant response, Mr. Goodell justifies the Washington franchise's name by claiming that neither the intent nor the use of the name was ever meant to denigrate American Indians. Then, in a dismissive manner, Mr. Goodell further declares that the ''R-word'' has a positive meaning and represents many positive attributes.

Mr. Speaker, I join my colleague, the gentlewoman from Minnesota, a cochair of the Congressional Native American Caucus, Congresswoman BETTY MCCOLLUM, who states that Mr. Goodell's letter ''is another attempt to justify a racial slur on behalf of Mr. Dan Snyder,'' owner of the Washington franchise, ''and other NFL owners who appear to be only concerned with earning ever-larger profits, even if it means exploiting a racist stereotype of Native Americans. For the head of a multibillion-dollar sports league to embrace the twisted logic that 'Redskin' actually stands for strength, courage, pride and respect is a statement of absurdity,'' and a total lack of appreciation of the culture of the Native American community.

I also join, Mr. Speaker, my colleague, the gentleman from Oklahoma, the cochair of the Congressional Native American Caucus, my dear friend and colleague, a member of the Chickasaw Nation of Oklahoma, Congressman TOM COLE, when he says:

> This is the 21st century. This is the capital of political correctness on the planet. It is very, very, very offensive. This isn't like warriors or chiefs. It's not a term of respect, and it's needlessly offensive to a large part of our population. They just don't happen to live around Washington, D.C.

I also join, Mr. Speaker, my colleague, the gentlewoman from the District of Columbia, Representative ELEANOR HOLMES NORTON, who states that Mr. Snyder ''is a man who has shown sensibilities based on his own ethnic identity, yet who refuses to recognize the sensibilities of American Indians.''

And I could not agree more, Mr. Speaker, with the gentlelady from the District of Columbia that Mr. Snyder, more than any of the owners of these NFL clubs, needs to show greater sensitivity towards our Native American community. In fact, I commend Mr. Snyder for building the third most expensive football franchise within the NFL, at well over $1.6 billion, as part of our free and open market system in the field of sports.

But, Mr. Speaker, why are we allowing this to be done on the sweat, the tears, and the suffering of Native American Indians?

Recently, in an interview in the USA Today newspaper, Mr. Snyder defiantly stated, ''We'll never change the name. It's that simple. Never. You can use caps.''

Such arrogance is wholly inconsistent with the National Football League's fundamental diversity policy, which states:

> Diversity is critically important to the NFL. It is a cultural and organizational imperative about dignity, respect, inclusion and opportunity.

Mr. Speaker, it is critically important that the NFL promotes its commitment to diversity and uphold its moral responsibility to disavow the uses of racial slurs. The use of the ''R-word'' is especially harmful to Native American youth, tending to lower their sense of dignity and self-esteem. It also diminishes feelings of community worth among Native American tribes and dampens the aspirations of their people.

□ 1220

Whether good intentioned or not, the ''R-word'' is a racial slur akin to the ''N-word'' among African Americans or the ''W-word'' among Latin Americans. America would not stand for a team called the ''Blackskins'' or the ''Yellowskins.'' Such offensive terms or words would no doubt draw widespread disapproval among the National Football League's fan base. And yet coverage by our national media and sponsors of Washington's football franchise profit from a term that is equally disparaging to Native Americans.

Mr. Speaker, so that the public may better understand and be more informed, I want to share with my colleagues the history and the real origin of how the word ''redskin'' came about.

Mr. Speaker, origin of the ''R-word'' as commonly attributed to the historical practice of trading Native American Indian skins and body parts as bounties and trophies. For example, in 1749, the British bounty on the Mi'kmaq Nation of what is now Maine and Nova Scotia, was a straightforward ''ten Guineas for every Indian Micmac taken or killed, to be paid upon producing such Savage taken or his scalp.''

Just as devastating was the Phips Proclamation, issued in 1755 by Spencer Phips, Lieutenant Governor and Commander in Chief of the Massachusetts Bay Province, who called for the wholesale extermination of the Penobscot Indian Nation. The Phips Proclamation declared the Penobscot to be ''Enemies, Rebells, and Traitors to his Majesty King George the Second,'' and required those residing in the province to ''Embrace all opportunities of pursuing, captivating, killing, and Destroying all and every of the aforesaid Indians.''

By vote of the General Court of the Province, white settlers were paid out of the public treasury for killing and scalping the Penobscot people. The bounty for a male Penobscot Indian above the age of 12 was 50 pounds, and his scalp was worth 40 pounds. The bounty for a female Penobscot Indian of any age and for males under the age of 12 was 25 pounds, while their scalps were worth 20 pounds. Historical accounts show that these scalps were called ''redskins.''

The current Chairman and Chief of the Penobscot Nation, Chief Kirk Francis, recently declared in a joint statement that the ''R-word'' is ''not just a racial slur or a derogatory term,'' but a painful ''reminder of one of the most gruesome acts of . . . ethnic cleansing ever committed against the Penobscot people.'' The hunting and killing of Penobscot Indians, as stated by Chief Francis, was ''a most despicable and disgraceful act of genocide.''

Mr. Speaker, in an attempt to correct the long-standing usage of the ''R-word,'' I and several Members of this House introduced the bill H.R. 1278, the Non-Disparagement of Native American Persons or Peoples in Trademark Registration Act of 2013. This bill would cancel the federal registrations of trademarks using the word ''redskin'' in reference to Native Americans. The Trademark Act of 1946—more commonly known as the Lanham Act—requires that the U.S. Patent and Trademark Office (PTO) not register any trademark that ''[c]onsists of or comprises . . . matter which may disparage . . . persons, living or dead . . . or bring them into contempt, or disrepute.'' 15 U.S.C. § 1502(a).

Native American tribes have a treaty, trust and special relationship with the United States. Because of the duty of care owed to the Native American people by the Federal Government, it is incumbent upon us to ensure that the Lanham Act is strictly enforced in order to safeguard Indian tribes and citizens from racially disparaging federal trademarks.

Accordingly, the Patent and Trademark Office has rejected applications submitted by the Washington franchise for trademarks which proposed to use the ''R-word''—three times in 1996 and once in 2002. The PTO denied the applications on grounds that the ''R-word'' is a racial slur that disparages Native Americans.

In 1992, seven prominent Native American leaders petitioned the Trademark Trial and Appeal Board (TTAB) to cancel the federal registrations for six trademarks using the ''R-

word.'' The TTAB in 1999 ruled that the ''R-word'' may, in fact, disparage American Indians, and cancelled the registrations. On appeal, a federal court reversed the TTAB's decision, holding that the petitioners waited too long after coming of age to file their petition. A new group of young Native Americans petitioned the TTAB to cancel the registrations of the offending trademarks in 2006. The TTAB held a hearing on March 7, 2013. A final decision is pending.

I deeply regret that there are those who out of ignorance argue that the ''R-word'' is not disparaging towards Native Americans. However, over the course of my tenure as a Congressman, as a member of the Subcommittee on Indian and Alaska Native Affairs, and as a member of the Congressional Native American Caucus, I have received an increasing number of calls and letters from both Native American and non-native individuals, tribes, and organizations who abhor this denigrating term. Mr. Speaker, today I stand before you to respond to the call of our Native American brothers and sisters who plead for justice and for Congress to act by passing this proposed bill.

H.R. 1278 is supported by a number of major Native American organizations, including the National Congress of American Indians, the National Indian Education Association, the Native American Indian Housing Council, the Native American Rights Fund, and the Native American Finance Officers Association, to name a few. In a recent letter to the cosponsors of this bill, the National Congress of American Indians—the oldest, largest and most representative American Indian and Alaska Native organization serving tribal governments and communities—stated that H.R. 1278 ''will accomplish what Native American people, nations, and organizations have tried to do in the courts for almost twenty years—end the racist epithet that has served as the [name] of Washington's pro football franchise for far too long.''

Mr. Speaker, despite the Native American community's best efforts before administrative agencies and the courts, the ''R-word'' remains a federally registered trademark. It has been well over twenty years and this matter is still before the courts. This injustice is the result of negligence and a cavalier attitude demonstrated by an administrative agency charged with the responsibility of not allowing racist or derogatory terms to be registered as trademarks. Since the Federal Government made the mistake in registering the disparaging trademark, it is now up to Congress to correct it.

[News Statement For Immediate Release—March 17, 2013]

NARF APPLAUDS SPONSORS OF PROPOSED LEGISLATION TO CURTAIL OFFENSIVE ''REDSKIN'' TRADEMARK

(Native American Rights Fund)

BOULDER, CO.—The Native American Rights Fund (NARF) fully supports introduction of a new landmark bill in the U.S. House of Representatives that would amend the Trademark Act of 1946 regarding the disparagement of Native Americans through marks that use the term ''redskin.''

NARF commends Rep. Faleomavaega and all the original sponsors of this important bill, which sends a clear signal that some members of Congress do not take anti-Native stereotyping and discrimination lightly. These Representatives now join Native American nations, organizations and people who have lost patience with the intransigence of the Washington pro football franchise in holding on to the indefensible—a racial epithet masquerading as a team name.

NARF also commends all those individuals in the on-going Harjo and Blackhorse proceedings in federal agencies and courts for their tireless advocacy attempting in righting this wrong. While these cases have yet to succeed, they have provided the springboard for legislative efforts like the new bill.

For over 20 years NARF has been involved in the cases, attempting to accomplish what this bill, if enacted, would do. NARF represented the National Congress of American Indians (NCAI), the National Indian Education Association (NIEA), the National Indian Youth Council (NIYC), and the Tulsa Indian Coalition Against Racism (TICAR) as amici curiae in Harjo et al v. Pro Football, Inc. NARF also organized amici briefs in support of the Native petition for Supreme Court review, including one by a broad range of Native nations and organizations, and others by law professors, psychology professors and social justice advocacy groups.

NARF NCAI, NIEA NIYC, TICAR and other major Native American organizations all have raised concerns regarding race-based stereotyping and behaviors in sports, particularly the racially derogatory name and logo of the ''Washington Redskins'' professional football organization. Such concerns have been expressed through numerous communications, public statements, and meetings, including a 1972 meeting with then Washington Redskins president Edward Bennett Williams, after which no team owner ever met with Native people opposing the name.

The U.S. Patent and Trademark Office registered six trademarks between 1967 and 1990 that consist of racially derogatory and disparaging material, which opens Native Americans to contempt and public ridicule in violation of Section 2(a) of the Lanham Act, 15 U.S.C. §1052(a). While there is enormous uplifting good in the human spirit, racism is the dark side of humanity that has caused much suffering among our diverse human family. Section 1052(a) wisely recognizes that one basic manifestation of prejudice, discrimination, or racism is the use of racially derogatory names, caricatures, or stereotypes that disparage peoples and persons and hold them up to contempt and ridicule; and this statute safeguards citizens through the registration of such trademarks.

In ruling unanimously in the Harjo case to cancel the ''Redskins'' trademarks, the PTO Trademark Trial and Appeal Board (TTAB) admitted that the six existing trademark licenses should not have been approved. That ruling was overturned on a technicality, laches, which was interpreted to mean that the plaintiffs waited too long after turning 18 to file suit. The current Blackhorse case is identical, except that the plaintiffs filed when they were 18 to 24. In a recent hearing before the PTO TTAB, the Washington franchise argued that even these young plaintiffs waited too long and should have filed on the day they turned 18. In addition to this ongoing trademark cancelation case, Native people have filed Letters of Protest with the PTO to stop new requests for trademark licenses for the same disparaging name.

Should this legislation be enacted, it would provide justice to the plaintiffs and protestors in these cases, would free the PTO to automatically deny federal protection for this disparagement, and would spare present and future Native American peoples and persons from suffering public humiliation and discrimination from the name of the team in the nation's capitol.

Native nations and citizens have a treaty, trust and special relationship with the United States, and rely on the federal government more than any other segment of society to make certain that its actions do no harm. Because of the duty of care owed to Indian tribes and people by the Department of Commerce, it is incumbent upon them to strictly enforce the provisions of 15 U.S.C. §1052(a), in order to safeguard Indian tribes and citizens from racially or culturally disparaging federal trademarks. They are required by law to assess the issues in light of its federal Indian trust relationship and associated fiduciary duties to protect Indians and Indian culture from degrading federal trade ark registrations. That trust relationship encompasses an affirmative duty on behalf of the Department of Commerce and the PTO TTAB to protect tribal culture and safeguard Native Americans from racism in sports conducted under color of federal law.

Founded in 1970, the Native American Rights Fund (NARF) is the oldest and largest nonprofit law firm dedicated to asserting and defending the rights of Indian tribes, organizations and individuals nationwide. NARF's practice is concentrated in five key areas: the preservation of tribal existence; the protection of tribal natural resources; the promotion of Native American human rights; the accountability of governments to Native Americans; and the development of Indian law and educating the public about Indian rights, laws, and issues.

NCAI is the oldest and largest national intertribal organization of American Indian and Alaskan tribal governments and individuals. NCAI represents more than two hundred fifty (250) tribes, nations, pueblos and Alaska Native villages with a combined enrollment of over 1.2 million Native people. Indian tribal governments are the duly elected or appointed political entities of Indian tribes that are legally responsible for protecting the well-being of their citizens. Established in 1944, NCAI provides an organizational umbrella for America's Indian tribes to develop and advocate tribal positions on issues of fundamental importance to Indian tribes, communities and peoples across the country.

NIEA is the oldest and largest national Indian education organization founded in 1969 as an educational service organization to provide national advocacy and assistance for its membership on issues affecting the education of Native American youth. NIEA's membership consists of over 2,800 Native American students, educators, parents and representatives of tribal governments and school boards. NIEA also provides a national forum each year at its annual convention for its membership as the largest convocation on Indian education in the United States to focus on important issues in Indian education. On behalf of its membership, NIEA is deeply concerned about racism in sports and the issues raised in this case. Racially derogatory terms, stereotypes and caricatures promoted to millions of Americans each year through professional sports can have negative impacts upon Native American school children and hold them up to public contempt or ridicule. In particular, NIEA is deeply concerned about the impacts that negative images portrayed by Registrant's ''redskins'' trademarks have upon Native American school children.

NIYC is the oldest and largest national organization addressing the issues of concern to American Indian and Alaska Native youth. Founded in 1961, the NIYC has been in the forefront of issues involving discrimination against Native Americans at the voting place, in housing, in representation on school boards, in political and educational districting and in employment, and has championed and litigated in each of these areas. The NIYC has long been concerned

about discrimination against Native Americans conducted under color of federal and state law. NIYC has long been concerned about racism and derogatory stereotypes in sports. For example, the NIYC Chapter at the University of Oklahoma was responsible for the 1970 removal of the racially offensive football mascot, ''Little Red.'' NIYC is deeply concerned about the issues in this case as racism in sports adversely effects all Native Americans, including youth.

TICAR is a broad-based coalition founded by American Indians from the 39 Indian Nations in Oklahoma. TICAR works closely with Indian Nations and Native and non-Native social justice, religious, civil rights, and educational organizations. TICAR was organized around the issue of eliminating the ''Redskins'' name and images from the public schools in Tulsa, Oklahoma, and supports similar efforts statewide and nationwide, as well as efforts to end the use of racial stereotypes in sports generally.

NATIONAL CONGRESS OF AMERICAN INDIANS,
Washington, DC, March 21, 2013.

Hon. ENI FALEOMAVAEGA, House of Representatives, Washington DC.

DEAR REPRESENTATIVE FALEOMAVAEGA: On behalf of the National Congress of American Indians (NCAI), the nation's oldest and largest tribal government advocacy organization in the country, we applaud you for sponsoring the ''Non-Disparagement of Native American Persons or People in Trademark Registration Act of 2013''. This legislation will accomplish what Native American people, nations, and organizations have tried to do in the courts for almost twenty years—end the racist epithet that has served as the mascot of Washington's pro football franchise for far too long.

The NCAI membership has been an active part of ending these types of derogatory stereotypes for several decades. The NCAI was one of many native and non-native organizations in support of the original court cases on this matter, Harjo et al v. Pro Football, Inc., and we support the current case, Blackhorse et al v. Pro Football, Inc. to cancel existing trademarks.

We are proud of all our people who struggle for dignity and fight against stereotypes, including Native and non-Native students, families, teachers, and others who have worked together to retire over 2,000 ''Indian'' names, logos, mascots, and behaviors in schools across the land. The use of Native Peoples as mascots is offensive and unjustifiable. We will continue to call for an end to this practice until the remaining stereotypes are gone from the American landscape.

Thank you and your co-sponsors for your leadership and courage in introducing this important legislation. If you have any questions regarding this matter, please contact me or the NCAI Deputy Director, Robert Holden, at the National Congress of American Indians.

Respectfully,

JEFFERSON KEEL,
President.

SUMMER OF SURVEILLANCE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker:

The administration puts forward a false choice between the liberties we cherish and the security we provide. No more illegal wiretapping of citizens. No more ignoring the law when it is convenient. That is not who we are. That is not what is necessary to defeat the terrorists. We will again set an example for the world that the law is not subject to the whims of stubborn rulers and that justice is not arbitrary. This administration acts like violating civil liberties is the way to enhance our security. It's not.

Mr. Speaker, that was candidate Obama in the year 2007 when he was attacking another administration, but that was then and this is now. How times have changed. Flash forward to the summer of 2013, the Summer of Surveillance. The Department of Justice seized information from 20 different Associated Press phone lines. The Department of Justice seized phone records of FOXNews reporter James Rosen, his parents, and several FOXNews phone lines.

The NSA, which I call the National Surveillance Agency, seized from Verizon Business Network Services millions of telephone records, including the location, numbers, and time of domestic calls. Thursday, we learned about another secret government program called PRISM that allows the NSA to search photos, emails, and documents from computers at Apple, Google, and Microsoft, among many other Internet sources.

Mr. Speaker, the American people have lost trust in this government. Do you think? The government spooks are drunk on power, and it's time for Congress to intervene to prevent the invasion of privacy by government against the citizens.

The administration says its snooping activities are lawful. Well, not so fast. Let's start with the PATRIOT Act, which needs to be reviewed, but let's look at it as it now stands. The PATRIOT Act requires ''a statement of facts showing that there are reasonable grounds to believe that the tangible things sought are relevant to foreign intelligence, international terrorism or espionage investigation.''

I see no way that the National Surveillance Agency could be lawfully conducting such a widespread and intrusive fishing expedition based on the PATRIOT Act or FISA. They're supposed to be justifying each individual search based on lawful grounds, not snooping, prying, and spying through tons of data hoping to find a hit on some bad guy. In other words, the government should only be able to collect phone records with a court order for someone they have reasonable suspicion to be connected with a terrorist. Government cannot use a Soviet-style dragnet approach hoping to catch a big fish while also catching the endangered species of freedom.

What the PATRIOT Act does not allow is widespread, warrantless invasions of privacy where government blindly snoops around looking for some mischief. But the government claims it got some bad guys—two or three terrorists, it says. Well, if so, show us the cases. Those cases should be public if charges were filed. But that still doesn't justify the invasion of privacy.

Let me continue. The administration could also be seizing emails of citizens over 6 months old without a warrant in its snooping frenzy. Unfortunately, the law allows this to occur. This needs to be changed.

Representative ZOE LOFGREN and I are trying to fix that with legislation to reform the outdated Electronic Communications Privacy Act by requiring a warrant for government to search and seize emails. Such a basic constitutional requirement should be made the law when government wants to arbitrarily take people's emails.

The bullying and badgering of the Fourth Amendment must cease. The Federal Government tries to scare the citizens and arbitrarily redlines the Fourth Amendment.

Mr. Speaker, technology may have changed over the years, but the Constitution just does not. We can have security, but not at the cost of losing individual freedom because to quote the constitutional law professor, there should be no ''choice between the liberties we cherish and the security we provide.''

But the Summer of Surveillance continues.

And that's just the way it is.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 25 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Eternal God, we give You thanks for giving us another day.

As the days grow warmer throughout our land, major legislative issues loom with the potential of warmer debate and disagreement.

Bless the Members of the people's House with the graces they need to engage one another as colleagues of the 113th Congress, entrusted by America's citizens to forge solutions to the major issues facing our time, be they in agriculture, immigration, or areas of national security.

Grant to each an extra measure of wisdom and magnanimity, that all might work together for a better future for our great Nation.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the