

good deal of tribal effort and money have been expended in preventing States from extending State jurisdiction without tribal consent. In North Dakota, the legislature early extended State jurisdiction under Public Law 280. The Supreme Court of North Dakota held that the State statute violated the State constitution. The constitution was amended to permit the North Dakota Legislature to assume jurisdiction over Indians on reservations. Thereafter, the North Dakota legislative committees held extensive hearings at which the Indians of North Dakota were afforded a full opportunity to present their views. I am happy to say that the North Dakota Legislature did what Congress did not do in Public Law 280. North Dakota adopted legislation which extends State jurisdiction only with the consent of the Indians affected.

The Legislature of the State of Montana also held full hearings on legislation to extend State jurisdiction to Indians in Indian country. The Montana law, like the North Dakota law, requires tribal consent of the Indians affected.

In 1964, a former State senator from the county in which the only reservation in Wyoming is located, introduced a bill to amend the constitution of Wyoming so as to empower the Wyoming Legislature to extend State jurisdiction under Public Law 280. This action was taken without prior consultation, let alone consent, of the governing body of the tribes. I am happy to say that the people of Wyoming did not go along with this sort of approach. In a State referendum, they rejected the attempt even to amend the constitution to give the legislature the power to impose State jurisdiction. To me this points up the basic fairness of the American people. Given the opportunity to express themselves, the voters of a State will remind their legislators that the principles of consent and self-determination are not to be forgotten in dealing with citizens of Indian blood.

The Indians of South Dakota are fully satisfied that the people of South Dakota still hold the principles of consent and self-determination in high regard. In March 1963, the Legislature of the State of South Dakota still hold the principles of consent and self-determination in South Dakota. This was done on short notice and with small opportunity for the Indians to present their views. Livestock interests spearheaded by the majority leader of the State senate, formerly a State senator from Indian country, were behind the effort to place Indians under State control and jurisdiction.

For the first time, probably, since the battle of the Little Big Horn, the nine tribes in South Dakota, all Sioux, united, pooled their resources and obtained a referendum under the State constitution to refer the issue to the people. The tribes purchased television and radio time, and newspaper and magazine coverage for the purpose of bringing to the people of South Dakota, Abraham Lincoln's message that, "No man is good enough to govern another man without that other man's consent." The people of South Dakota responded and rejected by an overwhelming vote of almost 4 to 1, the statute adopted by the legislature of the State of South Dakota. This was a costly procedure for the tribes, but necessary. The people of South Dakota renewed Indian faith in the fairness of the American people.

Given the facts, Americans will not agree arbitrarily to impose their will on another people. This tenet is a fundamental precept of our