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Firearms Legislation

Mike Mansfield 1903-2001

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On June 26, I replied to Mrs. Lesnik, as follows:

**S 1818**

**Mrs. Leo Lesnik,**

**Fishtail, Mont.**

DEAR MRS. LESNIK: There are times when another’s word say best what we are thinking. Your letter of June 20th has done that for me. I appreciate more than I can say your sharpness as well as your feelings in the aftermath of the tragedy which was suffered by your son at the hands of a gunman in Washington, D.C., a short time ago.

May I say to you that I had been deeply shocked by similar tragedies which befall two close personal friends and colleagues, John F. Kennedy and Robert F. Kennedy. Yet, it was the death of your son, Thad Lesnik, which was decisive in bringing me to some searching examination of the question of gun-control.

I did not know your son and I have not had the pleasure of knowing you. Thad Lesnik, however, was a Montanan and my constituent even as you are a Montanan and my constituent. He was a young man with many years of living and giving ahead and, in an instant, his life was cut short by a bullet. His needless death has prompted me to search my conscience for a better answer to the question of irresponsible gun-man withholding often reiterated reply of “no controls.”

May I say that I am not unaware of traditional Montanan attitudes. Gun controls have been generally repugnant to those who, like your family, and many others in Montana, have been taught and adhere to the responsible use of firearms. Nor was I unaware of the adverse reactions which were to be anticipated if I took a position in support of controls. After your son was killed, however, I reached the conviction that my duty to the people of the State, as Montanans and as Americans, impelled me, in good conscience, to support theTydings bill.

May, frankly, I say it is any sort of a cure-all of the problem. Nevertheless, I have taken this course in the hope and belief that there can be some mitigation in the rising level of the violence of the gun which has come to plague our land, especially the cities of the nation.

May I say to you, Mrs. Lesnik, if I ever had any doubts as to which side I have chosen, your deeply moving letter has dispelled them. Thank you for writing me.

Sincerely,

**Mike Mansfield.**

Mr. President, a second letter, well written and thoughtful—from a 14-year-old boy, Mr. Steve Rapkoch, of Bozeman, Mont.,—prompted me to try to clarify some misconceptions about gun controls which are reflected in letters to me. I ask unanimous consent that the letter from Steve Rapkoch, of Bozeman, Mont., and my reply to him, together with an excerpt from the **CONGRESSIONAL RECORD** of June 12, 1968, to be incorporated in the **RECORD** at the conclusion of my remarks.

**The Acting President** pro tem.

Without objection, it is so ordered.

(See exhibits 1 and 2.)

**Mr. Mansfield.** In common with many other boys of his age in my State, Steve Rapkoch has earned certification as a responsible hunter. These Montana young hunters have learned, as their fathers before them, to have respect for firearms and responsibility in their usage. The gun which once was a recreation is a respected part of the tradition of Montana. Its possession by individuals and its use in hunting and for other recreational purposes is practical and
CONGRESSIONAL RECORD - SENATE

July 3, 1968

For my part, in recent weeks I voiced my support for a limited approach to gun legislation, preferably on the state level; one that, contrary to the information you received, would your continued access to guns and hunt. I endorsed the so-called Tydings bill, introduced in the Senate by Senator Joseph Tydings of Maryland, on June 12. That bill carefully preserves the right of anyone to use a gun for any lawful purpose— even 16 year old boys. But for its provisions an individual could not obtain a license and own outright a gun until he reached the age of 18 (the 18th Amendment has apparently been inform). Nonetheless, you and others your age may use a gun to hunt and shoot and the license for the gun need only be in the name of a friend or relative. I have enclosed a copy of the section of this bill that meets your specific problem together with Senator Tydings' remarks on the subject from the Congressional Record, page 15, 12, 1968. Note that he says "a boy (even under 18) would be able to shoot, his parents would be able to lend him a hand gun for hunting and the license for the gun need only be in the name of a friend or relative."

Mr. MANSFIELD. On the basis of the above comparison, Mr. President, I have concluded that I will support the administration's bill. My reasons are much the same as those which led me to oppose the Dodd bill when it was presented to the Senate. Both of these measures, in my judgment, constitute an excessive and unwarranted Federal intruion into individual and State responsibilities.

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responsibilities. Young men are eligible to be drafted (as you wisely pointed out) to serve their country and at the same time learn (if they have not already) the proper use of weapons. Eighteen is the age in the Tydings bill when a young man himself can purchase and own a weapon (though he may use it and hunt with it long before as I have pointed out). It is the age when in some states young people are first permitted auto licenses, though they often must wait even until they are 21 before they are permitted to own cars.

Let me say finally that I too love Montana. I love the land and the people. I also know that Montanans in the past have abhorred the suggestion of gun control; perhaps because most of us, like you and your family, learn early to use firearms responsibly. I was not unaware when I took a position favoring a limited approach that would make it more difficult for the lawless and untrained (as I understand) to obtain weapons as instruments of violence it would be met with adverse reaction and even grave misunderstanding. I took the position, nonetheless. I took it perhaps because there will be another boy from Montana or another state who one day soon will be sitting at a restaurant counter in another city. I took it because his life may depend on it being a little more difficult to obtain a gun.

Many thanks again, Steve. Your thoughtful letter has reinforced my belief that young people would indeed handle wisely the right to vote—as they do the right to hunt. I have written this letter in hopes of clarifying for you some of your questions and dispelling some of your apprehension. I have not forwarded copies of this letter to anyone. You certainly have my permission, though, to use it as you see fit.

Sincerely,

M. N. MANSFIELD.

EXHIBIT 2

Mr. Holland, Mr. President, I again express the hope that the Senator has offered an effective bill. I wish to say that in the part of the country from which I come, and particularly in the small town—and the Senator from Florida happens to live in a small county seat town—it is the custom for this kind of procedure to apply. When a boy reaches the age of 10 to 12 years, he becomes the proud owner of a little .22 rifle. Perhaps he is first supplied with only BB's or caps, and later with more effective ammunition. Later he may become the proud possessor of a .410 single-barreled shotgun. Then, a little farther along he possesses something a little larger in the field of shotguns. I am sure the Senator is familiar with this tradition because he comes from a relatively small town in his State, and I am sure he knows this is the situation found in literally millions of American homes. I would not want to see anything done here by way of passage of a law which would make it completely impossible for normal development of acquaintance with handling of arms by our boys and as they grow older, our young men, because I think that would be in the nature of a tragedy to our country. It is in the interest of our country for boys and young men to become familiar, in a safe way, with the use of firearms in the progressive method I have indicated.

I hope that the distinguished Senator has a bill which in its original form or by reasonable modification can be adjusted to these reasonable habits of families throughout our Nation from one border to the other.

I simply express again the hope that the distinguished Senator is finally pointing us to a course which can be used effectively so far as crime prevention is concerned and accident prevention is concerned, but at the same time will not disturb too greatly the practices of our Nation which have developed throughout all the years of our national existence.

Mr. Tydings, Mr. President, again, the point which the Senator has raised is one to which I have personally given consideration, because I was given a shotgun at a relatively early age and learned to shoot.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. Mansfield. Mr. President, I ask unanimous consent that the Senator may proceed for an additional 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. Tydings. This legislation was drafted with the problem in mind which the Senator has raised. Under the bill, a license for gun ownership could not be given to the son of the family until he reaches the age of 18. This is similar to State laws regarding the age at which a boy may obtain a license to drive a car. But, under the bill, a boy would be able to shoot, his parents would be able to let him shoot at home and hunting trips, he would be able to learn to shoot and to develop marksman's skills. But he simply would not be able to own firearms until he had reached the age of 18. We drafted the definition of the term "transfer" in title II of the bill with this point in mind.