

**The following material is extracted from the Dirksen Government Center <http://www.congresslink.org/civilrights/1963.htm#top>**

## **Civil Rights legislation in 1963**

### **Committee & Passage in the House of Representatives**

The bill was sent to the [House of Representatives](#), and referred to the [House Judiciary Committee](#), chaired by [Emmanuel Celler](#), a Democrat from [New York](#). After a series of hearings on the bill, Celler's committee strengthened the act, adding provisions to ban racial discrimination in employment, providing greater protection to black voters, eliminating segregation in all publicly owned facilities (not just schools), and strengthening the anti-segregation clauses regarding public facilities such as lunch counters. They also added authorization for the Attorney General to file lawsuits to protect individuals against the deprivation of any rights secured by the Constitution or U.S. law. In essence, this was the controversial "Title III" that had been removed from the [1957](#) and [1960](#) Acts. Civil rights organizations pressed hard for this provision because it could be used to protect peaceful protesters and black voters from police brutality and suppression of free speech rights.

Kennedy called the congressional leaders to the White House in late October, 1963 to line up the necessary votes in the House for passage.<sup>[3]</sup> The bill was reported out of the Judiciary Committee in November 1963, and referred to the [Rules Committee](#), whose chairman, [Howard W. Smith](#), a Democrat and avid segregationist from [Virginia](#), indicated his intention to keep the bill bottled up indefinitely.

[from Wikipedia]

### **Johnson and passage**

In late November 1963 the [Assassination of John F. Kennedy](#) changed the political situation. The new president, [Lyndon Johnson](#), utilized his experience in legislative politics and the [bully pulpit](#) he wielded as president in support of the bill. In his first address to Congress on November 27, 1963, Johnson told the legislators, "No memorial oration or eulogy could more eloquently honor President Kennedy's memory than the earliest possible passage of the civil rights bill for which he fought so long."<sup>[4]</sup>

Chairman Celler filed a petition to discharge the bill from the Committee; it required a majority to move the bill to the floor. Initially Celler had a difficult time acquiring the signatures necessary, as even many congressmen who supported the civil rights bill itself were cautious

**The following material is extracted from the Dirksen Government Center <http://www.congresslink.org/civilrights/1963.htm#top>**

## **Civil Rights legislation in 1963**

### **Committee & Passage in the House of Representatives**

The bill was sent to the House of Representatives, and referred to the House Judiciary Committee, chaired by Emmanuel Celler, a Democrat from New York. After a series of hearings on the bill, Celler's committee strengthened the act, adding provisions to ban racial discrimination in employment, providing greater protection to black voters, eliminating segregation in all publicly owned facilities (not just schools), and strengthening the anti-segregation clauses regarding public facilities such as lunch counters. They also added authorization for the Attorney General to file lawsuits to protect individuals against the deprivation of any rights secured by the Constitution or U.S. law. In essence, this was the controversial "Title III" that had been removed from the 1957 and 1960 Acts. Civil rights organizations pressed hard for this provision because it could be used to protect peaceful protesters and black voters from police brutality and suppression of free speech rights.

Kennedy called the congressional leaders to the White House in late October, 1963 to line up the necessary votes in the House for passage. The bill was reported out of the Judiciary Committee in November 1963, and referred to the Rules Committee, whose chairman, Howard W. Smith, a Democrat and avid segregationist from Virginia, indicated his intention to keep the bill bottled up indefinitely.

[from Wikipedia]

### **Johnson and passage**

In late November 1963 the Assassination of John F. Kennedy changed the political situation. The new president, Lyndon Johnson, utilized his experience in legislative politics and the bully pulpit he wielded as president in support of the bill. In his first address to Congress on November 27, 1963, Johnson told the legislators, "No memorial oration or eulogy could more eloquently honor President Kennedy's memory than the earliest possible passage of the civil rights bill for which he fought so long."

Chairman Celler filed a petition to discharge the bill from the Committee; it required a majority to move the bill to the floor. Initially Celler had a difficult time acquiring the signatures necessary, as even many congressmen who supported the civil rights bill itself were cautious

about violating House procedure with the discharge petition. By the time of the 1963 winter recess, 50 signatures were still needed.

On the return of Congress from the winter recess, however, it became apparent that public opinion in the North favored the bill and the petition would acquire the necessary signatures. To prevent the humiliation of the success of the petition, Chairman Smith allowed the bill to pass through the Rules Committee. The bill was brought to a vote in the House on February 10, 1964, and passed by a vote of 290 to 130, and sent to the Senate.

## **Passage in the Senate**

Martin Luther King, Jr. and Malcolm X at the United States Capitol on March 26, 1964. Both men had come to hear the Senate debate on the bill. This was the only time the two men ever met; their meeting lasted only one minute.<sup>[5]</sup>

Johnson, who wanted the bill passed as soon as possible, ensured that the bill would be quickly considered by the Senate. Normally, the bill would have been referred to the Senate Judiciary Committee, chaired by Senator James O. Eastland, Democrat from Mississippi. Given Eastland's firm opposition, it seemed impossible that the bill would reach the Senate floor. Senate Majority Leader Mike Mansfield took a novel approach to prevent the bill from being relegated to Judiciary Committee limbo. Having initially waived a second reading of the bill, which would have led to it being immediately referred to Judiciary, Mansfield gave the bill a second reading on February 26, 1964, and then proposed, in the absence of precedent for instances when a second reading did not immediately follow the first, that the bill bypass the Judiciary Committee and immediately be sent to the Senate floor for debate. Although this parliamentary move led to a filibuster, the senators eventually let it pass, preferring to concentrate their resistance on passage of the bill itself.

The bill came before the full Senate for debate on March 30, 1964 and the "Southern Bloc" of 18 southern Democratic Senators and one Republican Senator led by Richard Russell (D-GA) launched a filibuster to prevent its passage. Said Russell: "We will resist to the bitter end any measure or any movement which would have a tendency to bring about social equality and intermingling and amalgamation of the races in our (Southern) states."

The most fervent opposition to the bill came from Senator Strom Thurmond (D-SC): "This so-called Civil Rights Proposals, which the President has sent to Capitol Hill for enactment into law, are unconstitutional, unnecessary unwise and extend beyond the realm of reason. This is the worst civil-rights package ever presented to the Congress and is reminiscent of the Reconstruction proposals and actions of the radical Republican Congress."

After 54 days of filibuster, Senators Everett Dirksen (R-IL), Thomas Kuchel (R-CA), Hubert Humphrey (D-MN), and Mike Mansfield (D-MT) introduced a substitute bill that they hoped would attract enough Republican swing votes to end the filibuster. The compromise bill was weaker than the House version in regard to government power to regulate the conduct of private business, but it was not so weak as to cause the House to reconsider the legislation.

On the morning of June 10, 1964, Senator Robert Byrd (D-W.Va.) completed a filibustering address that he had begun 14 hours and 13 minutes earlier opposing the legislation. Until then, the measure had occupied the Senate for 57 working days, including six Saturdays. A day earlier, Democratic Whip Hubert Humphrey of Minnesota, the bill's manager, concluded he had the 67 votes required at that time to end the debate and end the filibuster. With six wavering senators providing a four-vote victory margin, the final tally stood at 71 to 29. Never in history had the Senate been able to muster enough votes to cut off a filibuster on a civil rights bill. And only once in the 37 years since 1927 had it agreed to cloture for any measure. On June 19, the substitute (compromise) bill passed the Senate by a vote of 71–29, and quickly passed through the House-Senate conference committee, which adopted the Senate version of the bill. The conference bill was passed by both houses of Congress, and was signed into law by President Johnson on July 2, 1964.

## **Civil Rights Act (1964)**

In a nationally televised address on June 6, 1963, President John F. Kennedy urged the nation to take action toward guaranteeing equal treatment of every American regardless of race. Soon after, Kennedy proposed that Congress consider civil rights legislation that would address voting rights, public accommodations, school desegregation, nondiscrimination in federally assisted programs, and more.

Despite Kennedy's assassination in November of 1963, his proposal culminated in the Civil Rights Act of 1964, signed into law by President Lyndon Johnson just a few hours after House approval on July 2, 1964. The act outlawed segregation in businesses such as theaters, restaurants, and hotels. It banned discriminatory practices in employment and ended segregation in public places such as swimming pools, libraries, and public schools.

Passage of the act was not easy. House opposition bottled up the bill in the House Rules Committee. In the Senate, opponents attempted to talk the bill to death in a filibuster. In early 1964, House supporters overcame the Rules Committee obstacle by threatening to send the bill to the floor without committee approval. The Senate filibuster was overcome through the floor leadership of Senator Hubert Humphrey of Minnesota, the considerable support of President Lyndon Johnson, and the efforts of Senate Minority Leader Everett Dirksen of Illinois, who convinced Republicans to support the bill.

For additional information about the Civil Rights Act of 1964 and the Equal Employment Opportunity Commission with related documents, visit the National Archives' Digital Classroom *Teaching with Documents* Lesson Plan.

A transcript and recording of President Kennedy's speech is available online from the John F. Kennedy Library.

[following from [congresslink.org](http://congresslink.org)]

**June 11.** After a dramatic confrontation at the “schoolhouse door,” Alabama Governor George C. Wallace, when faced by National Guard Troops, stepped aside to allow two blacks to enroll at the University of Alabama.

**June 11.** President Kennedy, in a nationally televised address, issued a call for action. "We are confronted primarily with a moral issue," he stated. . "The heart of the question," the president reminded viewers, "is whether all Americans are to be afforded equal rights and equal opportunities, whether we are going to treat our fellow Americans as we want to be treated."

**June 12.** Civil rights leader Medgar Evers was shot and killed outside his home in Mississippi.

**June 19.** President Kennedy submitted a bill to guarantee blacks access to public accommodations, allow the government to file suit to desegregate schools, allow federal programs to be cut off in any area where discrimination was practiced in their applications, strengthen existing machinery to prevent employment discrimination by government contractors, and establish a Community Relations Service to help local communities resolve racial disputes.H.R.7152 contained the following eleven sections, or titles:

Title I: Voting Rights

Title II: Public Accommodations

Title III: Desegregation of Public Facilities

Title IV: Desegregation of Public Education

Title V: Civil Rights Commission

Title VI: Nondiscrimination in Federally Assisted Programs

Title VII: Equal Employment Opportunity

Title VIII: Registration and Voting Statistics

Title IX: Intervention and Removal of Cases

Title X: Community Relations Service

Title XI: Miscellaneous

**June 20.** Emanuel Celler introduced the president's bill in the House. Given the number H.R. 7152, the proposal was referred to Judiciary where Celler assigned it to Subcommittee No. 5, which he chaired. William McCulloch, Republican from Piqua OH, was the ranking member. Civil rights proponents and the White House intended for the House of Representatives to act first on the proposed bill. The Senate would be the tougher sell, and strategists hoped to build momentum to overcome the inevitable opposition of southern senators who have the ability and will to kill the legislation by filibuster.

**June 26.** Hearings before Subcommittee No. 5 began with testimony from Attorney General Robert F. Kennedy.

Examples of southern views [*Congressional Quarterly Almanac, 1963: 344-46*]: