CIVIL RIGHTS ACT OF 1964 TIMELINE

1954  Brown v. Board of Education decided, outlawing racially segregated schools. Later cases extend the principles of Brown to other public institutions, but do not address private discrimination.

1960  Kennedy elected President on a platform that includes stronger stands on civil rights issues than Eisenhower and Nixon’s positions.

But Kennedy takes no immediate action, and a bill based on his platform dies without his support.

Spring 1963  Civil Rights Movement gains momentum and national attention.

June 1963  Kennedy announces new civil rights bill.

His bill does not outlaw discrimination in private employment.

Bill introduced in both houses of Congress.

Supporters pushed for consideration in only the House of Representatives due to need to have political momentum to improve chances in Senate, where previous civil rights bills had been filibustered or weakened.

Bill referred to House Judiciary Committee. Committee Chair Celler (D) refers bill to his own subcommittee.

He chooses his subcommittee even though it normally handles antitrust matters because it is dominated by civil rights supporters. Ranking Republican is McCulloch (R) who is big advocate of civil rights.

July  Hearings.

Robert Kennedy testifies and fails to acknowledge McCulloch’s contributions to civil rights. Administration is forced to negotiate with McCulloch and promise (1) not to let Senate water down the bill and to consult with him on all changes and (2) to give Republicans credit.

August  Mark-up delayed

Kennedy feared losing tax reform bill in retaliation for civil rights bill if they pressed forward right away. Civil rights advocates march on Washington; Dr. King gives “I Have a Dream” speech.
September  Mark-up finally occurs. Celler pushes for a stronger bill than McCulloch and the Administration had agreed on, and included provisions outlawing employment discrimination on the basis of race, religion, or national origin.

   *McCulloch is furious and calls bill a pail of garbage with no chance of passage.*

Liberals and Southern opponents of civil rights jointly vote the bill out of the subcommittee.

October  Republicans and Administration agree to weaken the bill, making it more likely to pass. This requires McCulloch and Celler to get their people to vote against the stronger version that the subcommittee passed. Major EEO provisions remain in bill and so the bill was stronger than the one originally proposed.

November  Bill goes to Rules Committee, chaired by Southern Democrat Judge Smith, ardent foe of civil rights.

Kennedy is assassinated; Johnson becomes President, argues for passage of bill as tribute to Kennedy.

December  Celler circulates discharge petition to remove bill from Rules Committee, but McCulloch refuses to support it.

Republicans and Democrats tell Smith that they will demand a hearing; he schedules one.

January 1964  Bill is reported out of Rules Committee with no amendments.

February  Floor debate and amendments process on House floor. Enormous resources are devoted to having detailed information available to counter arguments and amendments.

   *Celler and McCulloch spearhead effort to keep enough Members available to defeat weakening amendments. Because votes on amendments are generally without a roll call, volunteers watched from the gallery and kept track of Members’ votes.*

Smith proposes an amendment to expand anti-discrimination in employment provision to include sex.

   *Celler and many liberal Democrats oppose it. Five women representatives speak in support of it. Amendment passes with the support of Southern Democrats and women.*

Bill passes and goes to the Senate.
Senate Democratic Majority Leader Mike Mansfield postpones work on the bill until after tax bill is completed.

Mansfield moves to have bill placed on calendar without going through Judiciary Committee, which is chaired by Eastland, foe of civil rights. Mansfield’s motion prevails.

_Southern Democrats oppose this maneuver. Some Republicans, including Dirksen, oppose it on principle, believing that bill should get full legislative history._

March

Mansfield delays bringing bill up for debate until farm bill is complete.

_Eastland would have been floor leader during debate since his committee had jurisdiction. Mansfield chose Humphrey instead. Johnson challenges Humphrey to keep liberals organized for victory. Humphrey sets up infrastructure, including quorum duty – making sure there were always enough people on the floor to avoid having the Senate adjourned. He woos Dirksen, Republican minority leader, who had earlier expressed doubts about the bill and had claimed in August that public accommodations title was unacceptable._

Southern senators filibuster for 14 days on motion to consider the bill. Civil rights supporters threaten to object to all committee hearings until civil rights bill is considered. Filibuster is broken. Merits debate begins.

_Supporters will need 25 votes from two groups: 21 conservative Republicans and 17 moderate Democrats from Western and border states in order to get the 67 votes needed for cloture (to end debate and break a filibuster). Dirksen will therefore be critical to the process._

April

Dirksen demands payback for his support and proposes 40 weakening amendments, which pleases the conservatives in his party. Liberal Republicans rebel and Dirksen trims his package of amendments to 10.

_May Dirksen is unable to secure passage of amendments. He tries to bluff with Administration to a compromise. He fails, and gets instead a package of minor amendments. The conservatives in his party threaten to mutiny. He goes public, announcing that the time had come for passage. Democratic supporters are pleased because the amendments give Dirksen credit for rewriting the bill without changing it in substance, as promised to McCulloch in the House._

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1 Today, 60 votes are needed. In 1964, the votes needed were two-thirds of Senators voting. On a high profile bill like the Civil Rights Act, all 100 Senators voted, so 67 votes were needed.
June  All hands on deck to line up votes for cloture. Johnson himself arm-twists and offers inducements to Senators. Mansfield and Humphrey work to disrupt historic agreement between Western Democrats who trade votes against civil rights for votes on water project with Southerners. Dirksen argues to conservative Republicans that the bill supplements and does not supplant state anti-discrimination measures, and appeals to moral, historical, and religious feelings. Cloture passes 71-29.

*Filibuster had lasted 58 days, with 534 hours of debate. It was the first time a filibuster had been broken on a civil rights bill.*

Post-cloture filibuster efforts by Southern Democrats by calling for repeated amendments they know will fail and roll call votes on every question. Senate finally passes the bill.

*It is similar but not precisely identical to the House version. Therefore some kind of reconciliation is required. Bill proponents decide not to seek a conference committee because Eastland would get to pick the Senate conferees and because the Southerners in the Senate would have another chance to filibuster.*

Bill is referred back to Smith’s Rules Committee. But national politics make stalling unacceptable and it is reported out after only one day.

July  House passes the bill. House Speaker and Senate President pro tempore sign it and send it to the White House. On the same day, President Johnson signs the bill.