Although proposals to make the Rev. Martin Luther King, Jr.’s birthday a public holiday had been introduced in every Congress, since the civil rights leader’s death in 1968, it wasn’t until 1979 that the measure finally came to a vote in the House (but not the Senate), and not until 1983 that it was finally enacted into law.

Ironically, the measure had not succeeded in passing Congress in 1979 when the White House and both houses of Congress were controlled by the Democratic Party, and yet succeeded in 1983 when the presidency and the Senate were controlled by Republicans. Was this difference in party control in any way a contributing factor to the measure’s eventual success, or were other factors more controlling? Those are the questions this essay will attempt to answer.

The Drive for a King Holiday

On April 8, 1968, just four days after Dr. Martin Luther King, Jr. was assassinated in Memphis, Tennessee, Congressman John Conyers, Jr. (D-Mich.) introduced the first bill to establish January 15th, the slain leader’s birthday, as a Federal holiday. Conyers would persist year after year, Congress after Congress, in introducing the same bill again and again, gathering cosponsors along the way, until his persistence finally paid off some 15 years later when President Ronald Reagan signed the King Holiday bill into law on November 2, 1983.

In the Senate, Sen. Edward Brooke (R-Mass.), the only African-American senator, also began introducing legislation beginning in 1968 authorizing the President to issue a proclamation each year designating January 15 as “Martin Luther King Day,” “calling on the people to commemorate the life and the service to his country and its citizens of the Reverend Doctor Martin Luther King, Junior, to observe that day with appropriate honors, ceremonies, and prayers.” The Brooke joint resolution differed from the Conyers bill in that it would designate a national day of commemoration, but not make it a Federal legal holiday.1

The Congressional Black Caucus (CBC), founded in 1971, played a pivotal role within Congress of coordinating efforts for a King Holiday.2 According to Avoice, the virtual online library developed by the Congressional Black Caucus Foundation, “CBC members advocated, debated, supported petition drives, participated in demonstrations and sponsored legislation in support of the holiday. The CBC was steadfast in its efforts.”3

In April 1971, petitions in support of the King Holiday, bearing the signatures of three million citizens, were presented to Congress by the Southern Christian Leadership Conference
(SCLC) which had conducted petition drives in communities across the country. Nevertheless, Congress took no action to move holiday legislation forward.”

Tracking King Day legislation on THOMAS, the Library of Congress legislative information website, from the 93rd Congress (1973-74) through the 95th Congress (1977-78), the follow data emerges. In the 93rd Congress, 16 House bills and one Senate bill were introduced calling for either a national holiday or commemorative day. Of the House bills, five were sponsored by Congressman Conyers with a total of 71 cosponsors. In the Senate, Senator Brooke’s joint resolution attracted 27 cosponsors.

In the 94th Congress (1975-76), 13 King Day bills were introduced in the House and one in the Senate. Conyers collected 96 cosponsors on five of the bills while Senator Brooke rounded-up 36 senators on his measure.

In the 95th Congress (1977-78) there were 14 King Day bills, six by Conyers with 99 cosponsors, while Senator Brooke managed to collect 57 cosponsors, well over half the Senate. Despite the increased cosponsorship activity and the inauguration of Jimmy Carter of Georgia, the first Democratic President since Lyndon Johnson left the White House in 1969, no hearings were scheduled in either body.

**The 1979 Push for the King Holiday**

The fiftieth anniversary of Dr. King’s birth in 1979, was to be different. Coretta Scott King, the slain leader’s widow, directed the staff of the King Center to launch a nation wide citizens’ lobby campaign for the Holiday. Part of the effort included a petition drive that netted over 300,000 signatures before the year was out.

President Jimmy Carter had promised to support the King Holiday legislation in return for labor’s support during the 1976 presidential campaign. In the written supplement to his State of the Union Address on January 25, 1979, (but not in the oral presentation before the joint session of Congress), President Carter observed that King had “led this Nation’s effort to provide all its citizens with civil rights and equal opportunity,” and pledged that he would “strongly support legislation” to commemorate King’s birthday “as a national holiday.”

Conyers achieved the highest number of cosponsors to date in 1979 with 118 House supporters on his bill (including seven Republicans), while Sen. Birch Bayh (D-Ind.) attracted 37 senators (including eight Republicans) on an identical bill.

On March 27, 1979, a joint hearing was held by the Senate Judiciary Committee and the House Post Office and Civil Service Subcommittee on Census and Population on the Conyers and Bayh measures (H.R. 15 and S. 25). Witnesses included Coretta Scott King, the widow of the slain leader; Andrew Young, the U.S. U.N. Ambassador; Congressman Conyers, Rev. Joseph Lowery, president of the SCLC; Pat Brown, chair of the National Education Association Black Caucus; and Stanley Rittenhouse, legislative aide to the Liberty Lobby. At the request of minority party members, an additional day of hearings was held on June 21, 1979.
The Senate Judiciary Committee acted first on July 17, 1979. After rejecting on a 6 to 10 vote an amendment by Sen. Strom Thurmond (R-S.C.) to substitute a “National Day of Recognition” in lieu of a legal holiday to honor Dr. King, the committee ordered the Bayh bill reported, 10 to 6.

On September 20, the House Post Office Committee amended the Conyers’ bill by adding an effective date of two years after enactment. The clean bill was introduced on September 28 by Conyers and Census and Population Subcommittee Chairman Robert Garcia (D-N.Y.), and subsequently ordered reported by the Post Office Committee on October 10 by voice vote.

Nevertheless, the filing of “Minority Views” by five of the committee’s Republicans signaled possible troubles ahead. The Republicans objected to the bill on grounds that a paid holiday for all federal employees was too expensive and that “the establishment of a public holiday to honor a private citizen would be contrary to our country’s longstanding tradition.”

The bill was called up in the House on Tuesday, November 13, 1979, under the “suspension of the rules” procedure that is usually reserved for non-controversial bills. Only 40 minutes of debate are allowed (20 in favor of the bill and 20 against), no amendments may be offered, and a two-thirds vote is required for passage. The bill was managed on the majority side by Subcommittee Chairman Garcia, and on the Republican side by his counterpart, Rep. Gene Taylor (R-Mo.). Speaker in favor of the bill, Garcia noted that it “would serve as an appropriate testimonial to an extraordinary individual who dedicated his life to the cause of human rights,” and “would underscore the Nation’s continuing commitment to alleviate the persistent and continuing effects of discrimination and poverty which Dr. King struggled to eliminate.”

Congressman Taylor countered in opposition that “I do not believe our present economic situation will allow us the luxury of another $212 million Federal holiday.” He also protested the use of the suspension procedure because it prevented Members from offering and voting on alternative proposals such as a commemorative day.

Conyers followed Taylor, saying the decision by Congress on the bill “will indicate the kind of moral direction of our country in the coming years.” Congress, he continued, “will have to make the most positive statement it can that the sectional and racial chapter of America’s history has been closed forever.”

All told, 18 House Members spoke during debate, including seven Members of the Congressional Black Caucus. Of the seven Republican who spoke, only one, Rep. Ben Gilman (R-N.Y.) spoke in favor of the bill. When the final vote was taken, 252 Members voted for the bill and 133 against—five votes short of the two-thirds needed for passage.

While House rules indicate that when a measure is defeated it cannot be reconsidered in the same session, that rule does not apply to bills rejected under suspension if they have at least majority support. Consequently, the Post Office Committee applied to the House Rules Committee to bring the bill back to the floor with a special rule (a simple House resolution) that
would allow for debate and a simple majority for passage. Sponsors of the bill were pushing for a modified closed rule that would permit just one amendment changing the January 15 date to the third Monday in January. The Rules Committee postponed action on granting a rule on November 27 when it became apparent that there would not be sufficient House votes on the floor to adopt such a restrictive amendment process. On December 4, 1979, the Rules Committee instead granted a completely open rule that would permit any germane amendment to be offered on the floor.

The following day, December 5, the special rule (H. Res. 497) was easily adopted by voice vote. The debate then began on the Conyers bill (H.R. 5461), this time with an hour of general debate allowed before amendments would be considered. Congressman Robert McClory (R-III.) first offered an amendment to the committee bill to change the holiday from January 15 of each year to the third Monday in January. He was countered by Rep. Robin Beard (R-Tenn.) who offered a substitute for the committee bill to change the holiday to the third Sunday in January. The first vote occurred on the McClory amendment which was adopted 291 to 106. Because Beard had a substitute amendment, its adoption would vitiate the effect of the McClory amendment, and he succeeded, 207 to 191.

With that, the bill’s manager, Congressman Garcia, moved that the Committee of the Whole rise (without completing action), meaning further consideration of the bill would be suspended, at least temporarily. The House adopted the motion, 231 to 164. It would be in the discretion of the leadership and bill’s manager to determine whether to bring it back and complete action at later date. Rep. Cardiss Collins (D-III.), head of the CBC, said “racism had a part to do” with the House’s refusal to honor King with a full federal holiday, according to one report. The report went on to note that, “She also faulted President Carter, who had said he supports the bill, for failing to round up votes on the measure.”

The bill was not heard from in the House again during that Congress. Nor did the Senate attempt to bring up the Bayh bill which had been reported from the Judiciary Committee.

In the 97th Congress (1981-82), President Ronald Reagan’s first two years as President, only four House bills were introduced calling for a King holiday. Conyers gathered 88 cosponsors on his bill, and McClory introduced his alternative (third Monday) bill without cosponsors. The House Post Office Committee held hearings on the Conyers’ bill on February 23, 1982, but took no further action. In the Senate, where Republicans had taken majority control for the first time since 1953, only Sen. Charles “Mac” Mathias, Jr. (R-Md.), the second ranking majority member on the Senate Judiciary Committee (Sen. Strom Thurmond was chairman), introduced a King holiday bill (S. 93) with 23 cosponsors. No hearings or action was taken on his bill in the Senate.

Success at Last: The 1983 Effort

The 98th Congress (1983-84) would finally prove that perseverance does pay off. The first session marked the 15th anniversary of King’s death. During the previous year the King Center had called for and mobilized a conference to commemorate the 19th anniversary of the March on Washington, with more than 100 organizations participating. A coalition was subsequently formed to lobby for the Holiday bill. Singing star Stevie Wonder provided funds to
open a Holiday lobbying office and staff in Washington, D.C. Later that year Coretta Scott King and Stevie Wonder presented a petition to Speaker Tip O’Neill (D-Mass.) containing the signatures of six million citizens.16

When the new Congress convened in January 1983, Conyers and the CBC renewed their efforts to round-up support for another try at passing the legislation. Conyers set a new record high by rounding-up 176 House cosponsors on his bill (H.R. 800), including 10 Republicans. Sen. Mathias again introduced the Senate companion bill (S. 400), this time with 34 cosponsors.17

On June 7, 1983, hearings were held on the Conyers bill (H.R. 800) before the House Post Office Committee’s Subcommittee on Census and Population which was still chaired by Rep. Robert Garcia. However, before the committee proceeded to act on the bill another player entered the picture with the full backing of the Congressional Black Caucus. On June 16 Rep. Katie Hall (D-Ind.), who had been elected to Congress for the first time the preceding November, introduced her own version of the King Holiday bill (H.R. 3345) with 60 cosponsors, including three Republicans.

Hall, who had been serving in the Indiana State Senate since 1972, was tapped by Gary Mayor and First Congressional District Democratic Chairman Richard Hatcher to fill the unexpired term of Rep. Adam Benjamin who had died of a heart attack in September. The special election was held on the same date as the general election in 1982, thus catapulting Hall into a full term in the succeeding 98th Congress without having to undergo a primary election. However, the First District was only 22 percent black and 7 percent Hispanic, meaning Hall was likely to face a primary challenge in 1984, especially since Hatcher had infuriated the predominantly white Lake County Democratic establishment by appointing Hall instead of Benjamin’s widow to the unexpired term.18

To help bolster her fortunes, the CBC elevated Hall to the leadership position in carrying the King Holiday bill in the House. Not only was her bill (H.R. 3345) chosen as the principal vehicle for Post Office Committee markup and reporting, but she was allowed to introduce a second bill after committee action in order to add more cosponsors. So, after the committee reported the bill on July 26 (H. Rept. 98-314), Hall dropped in another bill (H.R. 3706) with 108 cosponsors, including five Republicans. (As reported the bill designated the third Monday January as Martin Luther King public holiday—and not King’s actual birthday as contained in the original Conyers’ bills.)

Moreover, when the latter bill was brought to the House floor on August 2, Hall was given the nod by Post Office Committee Chairman William Ford (D-Mich.), apparently in concert with Conyers, to manage the bill for the majority.19 While it is not unprecedented for a member other than a committee or subcommittee chairman to manage a bill on the floor, in this instance it was a special honor since Hall, though a member of the Post Office Committee, was not a member of the subcommittee having jurisdiction over the King Holiday bill, the Subcommittee on Census and Population which was chaired by Garcia. Garcia and Conyers, of course, were both cosponsors of the Hall bills.
Congresswoman Hall called up the bill on the House floor on August 2, 1983, using the traditional, procedural boilerplate for bills considered under a suspension of the rules: “Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3706), to amend title 5, United States Code, to make the birthday of Martin Luther King, Jr., a legal public holiday.” After the Clerk read the title of the bill, the Speaker pro tempore recognized Hall for 20 minutes and Rep. William Dannemeyer (R-Calif.), the designated minority committee floor manager, for 20 minutes.  

Unlike the 1979 suspension debate on the King Holiday bill, which seemed rather perfunctory, the 1983 debate practically jumps off the pages of the Congressional Record as being more energized, organized, and lively. Only 19 Members spoke on the suspension bill in 1979 while 48 participated in 1983 (many rising simply to insert their written remarks in the Record given time limitations).

One example of the spirited nature of the debate took place after Republican manager Dannemeyer complained in his opening statement about the cost of a paid federal holiday. CBC Member Parren Mitchell (D-Md.) retorted, “What do you mean ‘cost?’ What was the cost of keeping us blacks where we were? All these extraneous things do not mean a thing to me. I am talking about what is the right and decent thing to do, and to urge a vote for this bill in the form that it is.”

The other point that comes across from the debates is more participation by the Democratic Leadership and by Republicans in support of the bill. Whereas in 1979 only Rep. John Brademas (D-Ind.), the Democratic Whip, spoke in favor of the bill, in 1983 both Majority Leader Jim Wright (D-Tex.) and Speaker Thomas P. O’Neill, Jr. (D-Mass.) delivered stirring remarks during the debate. Prominent Republicans speaking in favor of the bill included Republican Conference Chairman Jack Kemp (R-N.Y.), who had voted against the measure in 1979, Rep. Newt Gingrich (R-Ga.), the future Speaker of the House, and Rep. Dan Lungren (D-Calif.), an articulate young member of the Judiciary Committee who would go on to be California State Attorney General before returning to the House of Representatives.

As Kemp explained his change of mind on the bill, “I have changed my position on this vote because I really think that the American Revolution will not be complete until we commemorate the civil rights revolution and guarantee those basic declarations of human rights for all Americans and remove those barriers that stand in the way of people being what they are meant to be.”

Kemp went on to remind his GOP colleagues of the symbolic importance of the bill for their party: I want to see my party stand for that. If we lose sight of the fact that the Republican Party was founded by Mr. Lincoln as a party of civil rights, of freedom, and hope, and opportunity, and dreams, and a place where all people could be free; if we turn our backs we are not going to be the party of human dignity we want as Republicans to be known for.”

Conyers, the father of the King Holiday legislation, noted that while he had been introducing the bill for the last 15 years, “I never viewed it as an isolated piece of legislation to honor one man. Rather, I have always viewed it as an indication of the commitment of the
House and the Nation to the dream of Dr. King. When we pass this legislation we should signal our commitment to the realization of full employment, world peace, and freedom for all.”

In his closing remarks, Speaker Tip O’Neill echoed Conyers’ sentiments: “Martin Luther King changed America—all of America. He changed it not by a force of arms but by moral force. He asked us to become the country that we always claimed to be—a country of equal justice, of equal opportunity, a country where all men—all men—are created equal.”

O’Neill was greeted by a standing ovation from his colleagues followed by an overwhelming vote of 338 to 90—53 votes more than the two-thirds necessary for passage under suspension of the rules (and for overriding a veto if necessary). Thirty-five House Members who had voted against the bill in 1979 switched to support the bill in 1983, including 26 Republicans. (The Republican vote broke narrowly for the bill, 89 to 77.) After the vote, floor manager Rep. Katie Hall told reporters that, “Men and women of good will on both sides of the aisle showed this was a human concern, not a political or racial issue.” She also credited the Democratic leadership for its strong support in getting the bill through.

In anticipation of the Senate debate, supporters of the bill, including the slain leader’s son and widow, Martin Luther King III and Coretta Scott King, conducted a prayer vigil outside the Capitol on October 4 and 5 urging the bill’s passage.

The bill moved to the Senate floor in October without the benefit of a Senate committee vote or report. If anything, the action was even more lively than in the House as Senator Jesse Helms (R-S.C.) mounted a filibuster against the bill. However, he ended it when the leaders from both parties filed a cloture motion against the filibuster. Instead, a unanimous consent (UC) agreement was worked out on October 5 allowing for the consideration of specified amendments subject to time limitations. In return for the U.C., Helms was allowed in the interim to bring up tobacco and dairy bills he favored as chairman of the Agriculture Committee. Under the UC agreement, the Senate would return to the King Holiday bill on October 18 with debate on amendments limited and a final vote set for no later than 4 p.m. on October 19.

Prior to the UC, however, Helms enraged several of his colleagues by engaging in personal attacks against the character of Dr. King, including his alleged association with communists. Sen. Ted Kennedy (D-Mass.) responded that Helms’s assertions were “inaccurate and false,” which prompted Helms to move that the words be stricken from the record for impugning a member’s motives. Senate Majority Leader Howard Baker (R-Tenn.), a staunch supporter of the King bill, intervened in the dispute and asked that Kennedy’s word “false” be stricken from the record.

Later during the debate Sen. Daniel Patrick Moynihan (D-N.Y.), holding a file containing FBI documents on King, said, “The Congress of the United States has never been so sick as it could be today if few were to pay attention to the filth in this brown binder that has been passed around the chamber today. Moynihan then flung the binder to the floor. In much the same vein, the following day Sen. Bill Bradely (D-N.J.) responded to the attacks on King by both Helms and Sen. John East (R-N.C.), saying, “They speak for a past that the vast majority of Americans have overcome.”
Finally, after two days of acrimonious debate and the rejection of 12 alternative amendments, the Senate passed the bill 78 to 22 on October 19, with Democrats voting 41 to 4 in favor of the bill and Republicans voting 37 to 18 in favor (with even Sen. Strom Thurmond of South Carolina voting for passage). On the same day as Senate passage, President Reagan announced at a news conference that, “Since they seem bent on making it a national holiday, I believe the symbolism of that day is important enough that I would—I’ll sign that legislation when it reaches my desk.”

True to his word, in a signing ceremony in the Rose Garden at the White House on November 2, 1983, President Reagan signed the bill into law (Public Law 98-144), surrounded by key Representatives, Senators, civil rights leaders, and King’s family. In recounting King’s life and works during his signing speech, Reagan noted that, “Dr. King had awakened something strong and true, a sense that true justice must be colorblind, and that among white and black Americans, as he put it, ‘Their destiny is tied up with our destiny, and their freedom is inextricably bound to our freedom; we cannot walk alone.’”

In her remarks following those of the President, Coretta Scott King said of her husband, “In his own life’s example, he symbolized what was right about America, what was noblest and best, what human beings have pursued since the beginning of history. He loved unconditionally. He was in constant pursuit of truth, and when he discovered it, he embraced it.”

Conclusion

The 15-year saga of the King Holiday bill is perhaps a fitting reminder of the ordeal endured by the man the legislation honors and the cause of equal rights for which he fought. Martin Luther King, Jr. was a 26-year old Baptist Minister in Montgomery, Alabama when he organized the bus boycott to end segregation in public transportation. For 13 years, until his assassination in 1968, he led marches, protests, demonstrations, sit-ins, and prayer vigils for freedom and justice across the north and south. At each step of the way he slowly built support for his non-violent approach to exposing America’s deep scars and beginning the healing process by bringing people together. Monumental civil rights legislation was enacted during his lifetime, including the 1964 Civil Rights Act and the 1964 Voting Rights Act. And, in the immediate aftermath of his death, Congress enacted the landmark Open Housing Act of 1968.

It is perhaps understandable that securing a special public day to honor King’s life and work would also take some time as the American people slowly came to recognize and accept the far-reaching effects King’s work had in breaking down the barriers of racial segregation and hatred, and at least beginning to force all Americans to come to terms with their fellow citizens of all races, ethnicities and creeds as equals in the eyes of God. And Congress, is after all, merely a reflection of the American people, their moods, opinions, hopes and fears. The persistence of Congressman Conyers’ his Congressional Black Caucus colleagues, and allies in both parties would eventually pay off as momentum and support slowly built both inside and outside the Halls of Congress. What ultimately put things over the top was the strong backing of bipartisan leaders in both parties who knew the time was long overdue to memorialize King’s work.
In this, the 25th Anniversary year of the enactment of the King Holiday legislation, one sign of how much further we have moved since the struggles over the legislation between 1968 and 1983 is the certain reaction of most young people who must wonder, “What was that all about?” when told of the strong resistance among some in Congress to memorializing Dr. King’s life and work with a public holiday.

Endnotes


2 The founding Members of the Congressional Black Caucus, all House Democrats, were Representatives Shirley Chisholm (NY), William Clay (MO), George Collins (IL), John Conyers (MI), Ronald Dellums (CA), Charles Diggs (MI), Augustus Hawkins (CA), Ralph Metcalfe (IL), Parren Mitchell (MD), Robert Nix (PA), Charles Rangel (NY), Louis Stokes (OH), and Delegate Walter Fautroy (DC). Today the CBC has 43 members.


5 Prior to the 95th Congress (1979-80), only 25 sponsors were allowed on a single bill, meaning a Member would have to introduce the bill with a new number if he collected additional cosponsors. Beginning in the 95th Congress (Jan. 3, 1979) that rule was changed to allow for unlimited cosponsors on a single bill. (House Rules and Manual, One-Hundred Ninth Congress, sec. 825, footnote).

6 “The King Holiday: A Chronology,” Accessed at the King Center website, op. cit.

7 Sen. Brooke had been defeated for reelection so his alternative commemorative day resolution was no longer in play. However, Rep. John LaFalce (D-N.J.) introduced a joint resolution similar to Brooke’s previous ones and gathered 88 House cosponsors (H.J. Res. 447).


11 Ibid, 32136-37.

12 Ibid, 32137.


15 Thomas, op. cit.

16 “The King Holiday: A Chronology,” The King Center website, op. cit.
17 Thomas, op. cit.


19 It is asserted in one history of the Martin Luther King, Jr. holiday bill (www.avoiceonline.org/mlk/history.html) that “in 1983, Congressman William Ford, chairman of the House Post Office and Civil Service Committee, and Conyers gave their support to Representative Katie Hall (D-IN) for chairman of the subcommittee that had primary jurisdiction over the MLK holiday bill.” Since Rep. Garcia remained chair of that subcommittee throughout the 98th Congress, and subcommittee chairs are chosen under Democratic Caucus rules by a bidding process that gives deference to the most senior members on the committee (and Hall served on two other subcommittees), it is more likely that the two Michigan colleagues, Ford and Conyers, arranged for Hall to manage the bill on the floor instead of Garcia (thereby at least giving her the temporary and informal status of a subcommittee bill manager and chairman).

20 “Designation of the Birthday of Martin Luther King, Jr., as a Legal Public Holiday, Congressional Record, August 2, 1983, 22208.

21 Ibid, 22209.


23 Ibid, 22215.

24 Ibid, 22236.


28 Ibid, 2175-76.

29 Ibid, 2178.


31 Ibid, 1530.