

Smokey Bear and Other Treasures

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Cool and quiet, the copyright archives in the basement of the Madison Building are silent except for the low hum of a computer or the rattling of a cart as books are pulled and returned to the shelves. In this small archive you will not find something as fantastical as George Washington’s personal papers, but what can be uncovered are a number of unique documents preserving the history of America, the Copyright Office, and the Library of Congress.

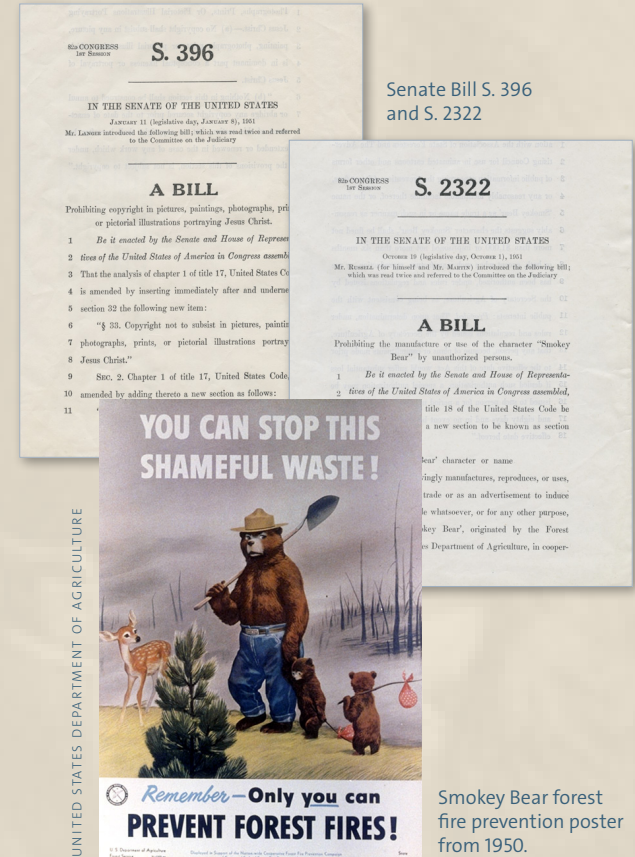
From correspondence regarding the copyright of the drawings of Charles Dana Gibson, artist of the famous Gibson Girl, to advertisements for floured soap, each piece helps contribute to a deeper understanding of American life and culture. Inventories and finding aids exist for most of the materials housed there, but once in a while there is a rare opportunity to process material blind, without the knowledge of what you will find.

Recently, an inventorying project became available that required the organization of a collection of several crates of legislative history housed temporarily in the archive. The contents of this collection included proposed legislation, reports, and notes ranging from 1907 to 1970 and spanning all areas of law and government. What started as a simple catalog project led to the uncovering of a number of bills pertaining to copyright and intellectual property, significant for research purposes in their own right, but also the unexpected discovery of a number of unanticipated collection jewels that shed light on the culture and concerns of the government in 1950s America.

One such discovery is a copy of S. 396 of January 1951. This United States Senate Bill from the 82nd Congress first session called for “prohibiting copyright in pictures, paintings, photographs, prints, or pictorial illustrations portraying Jesus Christ,” and insisted on the amending of a new item to chapter one of Title 17 of the United States Code. Proposed by Senator William Langer

of North Dakota, the bill, assuring that in its passing it would not “annul or abridge any copyright secured prior to the date of enactment,” never made it past the Senate floor. Regardless of agreement with or position against this legislation, this piece is interesting in its capacity to potentially restrict the intellectual property of artists and for its commentary on American culture and life, which in the 1950s was characterized by a wave of conservatism, consumerism, and religious revival.

The 1950s also featured a booming popular culture driven by mass media, and alongside the rise in consumerism and leisure came the rise in advertising that would characterize the 1950s and 1960s. In October of 1951, the Senate saw another interesting proposed bill, this time on the beloved icon “Smokey Bear.” S. 2322 of the 82nd Congress first session proposed “prohibiting the manufacture or use of the character ‘Smokey Bear’ by unauthorized persons.” In this legislation, the improper use or reproduction without permission of “Smokey,” developed by the Forest Service of the United States Department of Agriculture in association with the Association of State Foresters and The Advertising Council, was proposed to carry a fine of \$1,000 and possible imprisonment for up to six months. Why was this archival find so exciting? Interestingly enough, “Smokey Bear” remains neither trademarked nor copyrighted to this day. In fact, it is this bill that became public law in May of 1952 that still protects him and his use now (Public Law 359 ch. 237). ©



Senate Bill S. 396 and S. 2322

Smokey Bear forest fire prevention poster from 1950.