

3. Eliminates competition—particularly price competition—which is the only effective deterrent to excessive charges.

The Committee will recognize Point No. 3 as most vital, underscoring the motivation of the bill's proponents, and indicating the significant threat it constitutes to the consuming public.

It is the position of this association that truthful advertising is neither criminal nor immoral. Therefore, Congress should make no law rendering truthful advertising a criminal act punishable by the municipality, as would be the effect of Sec. 8 of the bill.

Nor should Congress make truthful advertising grounds for license revocation, as provided in Sec. 7.

This association further objects to language of Sec. 10 which reinforces other prohibitions against truthful advertising by providing that the section does not "authorize any optometric service or opthalmic material to be advertised in any manner which includes or contains any price, cost, or reference thereof."

Finally, from experience with similar legislation presented to various state legislatures, we are compelled to call attention to implications of Sec. 7 (a) (19), which would place upon the District Commissioners the burden of determining what constitutes "any other unprofessional conduct" of optometrists. Even if advertising prohibitions of Sec. 7, 8 and 10 were removed, the Commissioners would be under pressure to declare advertising "unprofessional" under subsection (a) (19).

It should be the province and the obligation of the municipality to insure that optometry is practiced only by persons properly trained and licensed. Whether or not these licensed practitioners choose to advertise their services—and their prices—should be left to their individual determinations. It should not be a function of government to enforce arbitrary standards of so-called "ethical" restraint, as determined by a segment of the optometric profession.

On the contrary, we feel it should be the function of government to insure that the practice of optometry be conducted in as free and as competitive an atmosphere as possible, in the interest of affording the public these services at a reasonable cost. This can best be accomplished by protecting the right of the individual practitioner to advertise if he so chooses.

THEODORE A. SERRILL,
Executive Vice President.

District of Columbia Code Sec. 22-1411—Fraudulent Advertising—"It shall be unlawful in the District of Columbia for any person, firm, association, corporation or advertising agency, either directly or indirectly, to display or exhibit to the public in any manner whatever, whether by handbill, placard, poster, picture, film or otherwise; or to insert or cause to be inserted in any newspaper, magazine, or other publication printed in the District of Columbia; or to issue, exhibit, or in any way distribute or disseminate to the public; or to deliver, exhibit, mail, or send to any person, firm, association or corporation any false, untrue or misleading statement, representation, or advertisement with the intent to sell, barter, or exchange any goods, wares, or merchandise or anything of value or to deceive, mislead, or induce any person, firm, association or corporation to purchase, discount, or in any way invest in or accept as collateral security any bonds, bill, share of stock, note, warehouse receipt, or any security; or with the purpose to deceive, mislead, or induce any person, firm, association or corporation to purchase, make any loan upon or invest in any property of any kind; or use any of the aforesaid methods with the intent or purpose to deceive, mislead, or induce any other person, firm, or corporation for a valuable consideration to employ the services of any person, firm, association or corporation so advertising such services."

(s 22-1413 provides for a fine of up to \$50, or imprisonment up to 60 days, or both, for violation of the fraudulent advertising statutes.)

FEDERATION OF CITIZENS ASSOCIATIONS OF THE DISTRICT OF COLUMBIA—
RESOLUTION

SUBJECT: H.R. 595, H.R. 732, H.R. 1283

Whereas H.R. 595, H.R. 732, and H.R. 1283 are identical bills to revise existing law relating to the examination, licensure, registration, and regulation of optometrists and the practice of optometry in the District of Columbia, and Whereas these bills declare optometry to be a profession, and