

fallacy and irrationality in our own beliefs. The wisest man at this stage of the world's affairs is he who knows that none of us is wise.

Senator NELSON. Thank you, Doctor.

What is the jurisdiction and authority of NIH in the control of drugs?

Dr. YOLLES. Let me clarify a point, Senator. The National Institute of Mental Health is no longer a part of the NIH. We have been separated off for a period of 2½ years.

Senator NELSON. You are not a part of NIH in any way?

Dr. YOLLES. No, sir; we are not. The area of jurisdiction of the National Institute of Mental Health in terms of the mental health program can be stated to be a total program. We are responsible—we are one of the few programs in the Public Health Service that is a total program, in that we are responsible for all elements of the program ranging from basic research through applied research, the production of manpower both for research and service, for demonstrations, for construction of mental health facilities for treatment and rehabilitation, and for the staffing of such facilities. So that in the area of psychotropic drugs we have a major responsibility both for leadership to see that these drugs are produced—the necessary drugs are produced—to treat the mental illnesses and we have a supporting service responsibility to people working in the field to provide information and services and help in any way we can, through consultation, in furthering their programs.

Senator NELSON. If a new drug or psychotropic drug of some kind comes along, who has the authority to classify its use, to decide whether—

Dr. YOLLES. The legal decision for drugs other than those controlled, which are considered controlled and dangerous drugs, rests with the Food and Drug Administration of HEW. Those drugs which fall in the classification of stimulants, depressants, narcotics, marihuana, that classification, now rests with the Bureau of Narcotics and Dangerous Drugs in the Justice Department.

Senator NELSON. How long has that authority rested there?

Dr. YOLLES. I suppose it is about a year now. It was changed by the Congress in the Reorganization Plan No. 1 of last year.

Senator NELSON. Previously HEW had that jurisdiction?

Dr. YOLLES. In regard to all of the so-called dangerous drugs, controlled substances, stimulants, depressants, LSD, et cetera, this rested with the FDA in HEW; yes. This was transferred to the Justice Department last year.

Senator NELSON. May I ask you a question to which you may not wish to respond? I, myself, am curious as to whether Justice is the proper place for making such a determination. In your opinion, where should that responsibility lie? Was it a mistake of Congress, in your judgment, to change it?

Dr. YOLLES. Well, the Congress in its wisdom made its decision last year.

Senator NELSON. Everything we do is not necessarily wise.

Dr. YOLLES. Well, this field of use of drugs and abuse of drugs has a long history, and there have been a number of very eminent commissions established over the years to look into these very problems