

Mr. HUGHES. Well, I guess that is——

Mr. EDWARDS. It is a highly theoretical question.

Mr. HUGHES. It is a highly theoretical possibility. You will notice the later provisions of the plan provide for the working out of the arrangements for the transfer of the particular personnel and organizational entities, I think section 6(b) deals with this, and there could be arrangements desirable to time the particular personnel moves, and so on, in accordance with the dictates of good management and orderly arrangements. And that is all that is contemplated here.

Mr. EDWARDS. Section 6(b) refers to other positions, does it not? Line 3 of section (b).

Mr. HUGHES. That is correct, Mr. Edwards. I think we perhaps would want to seek Mr. Finlator's advice on this. I am not sure whether the lab people are within the Bureau of Drug Abuse Control or in a separate bureau. I think they are in a separate bureau. And they therefore are covered in 6(b).

Mr. EDWARDS. I will be glad to have him answer the question. I recall that he said these were BDAC people.

Mr. FINLATOR. I hope I didn't give you a misconception on it. What I intended to say is, there are these people in the other part of FDA, in their 17 laboratories, that are funded as support activities for the BDAC budget.

They are support activities.

Mr. EDWARDS. You pay them?

Mr. FINLATOR. We pay them; yes, sir.

Mr. EDWARDS. They are BDAC employees?

Mr. FINLATOR. Well, I don't know whether I pay them or not. FDA pays them, or HEW. But they are a part of the support activities of the BDAC function, which can go administratively immediately over to the Department of Justice, or it can remain there, whichever is administratively feasible.

Mr. EDWARDS. Where do you get that authorization? Where the re-organization plan says that all functions of BDAC——

Mr. FINLATOR. Yes. I think this is a matter of administrative fiat, which is the best way to do it. And I don't believe that we are at the place yet to determine what we would do with these 60 people if we brought them over on April 8.

Mr. EDWARDS. I think you are making my point, Mr. Finlator. I don't know that we are at the point where we can really determine whether any of these people ought to go yet.

Mr. HUGHES. Obviously, I guess, Mr. Edwards, we would have to disagree with you.

Mr. EDWARDS. Surely.

Mr. HUGHES. The plan quite clearly says under the sections which we referred to earlier and 6(a) that certain transfers take place and that certain functions are transferred from one department to the other. There obviously remains the question of determining the specific organizational elements and personnel and equipment that would move, and particularly those components of the Department which should move, of the Food and Drug Administration, which should move with the Bureau of Drug Abuse Control, even though they may not at the moment be integral parts of that Bureau.