

to do it. And I just don't see anything within my present knowledge and experience that would indicate the desirability of it.

Mr. ERLNBORN. You would agree the plan would give you the authority to do so if you so desired?

Mr. CLARK. The plan gives that authority. The powers and functions of the Department of Justice, under the present setup, are vested in the Attorney General. So I have the power to do that as to the FBI, Federal Bureau of Prisons, Immigration and Naturalization Service, Antitrust Division. It is good government to so provide.

Mr. ERLNBORN. I suppose an argument could be made that FBI agents in their work do come across narcotics and dangerous drugs just as now Bureau of Narcotics agents come across dangerous drugs and therefore efficiency would demand these functions and powers be transferred to the FBI. And the Attorney General who so felt could so transfer it?

Mr. CLARK. He would have that general authority; that is right. I don't believe we can let such a fear inhibit us, however, from doing something that is important.

Mr. ERLNBORN. It is a question of not necessarily fear, but a question of what this plan would allow legally, what powers it does grant to the Attorney General.

Mr. CLARK. You have to think in terms of probabilities. The proximity of the work of BDAC and Narcotics is manifest. They are dealing with the same people and the same subject. They are dealing with something used in the same social environment, but not so the FBI. Its agents may come across drugs incidentally and occasionally, but I have never seen any indication of any desire by the FBI, or for that matter by these two agencies to have the FBI exercise jurisdiction over drugs; nor have I seen any argument or facts to support such a need.

Mr. ERLNBORN. Just one last observation. I remember a few years ago, and I will make it clear that was long before your appointment as Attorney General, there was a question of the increase in some prices, I believe in the steel industry, and at that time according to the newspaper accounts, FBI agents were used to check into the records of the steel industry and the inference was that some pressure was applied to keep the prices from being raised. Today there seems to be quite a hue and cry about the prices of drugs. Now do you suppose that a similar case might happen in the future with the Justice Department being used to control the increase in drug prices?

Mr. CLARK. Well, of course, the Department of Justice has antitrust responsibility and we have some important cases in the drug area. I think these are vital to the consumer and to the health of our people. The FBI has full investigative responsibilities there. It has 6,600 agents, and I suppose if someone wanted to abuse power, he would have opportunity to do that right now.

Mr. ERLNBORN. Would a Bureau of Narcotics agent or a BDAC agent today, if he came across what he considered to be evidence of an antitrust violation, be under a duty to report that to the Attorney General?

Mr. CLARK. Mr. Erlernborn, in my opinion, any citizen of the United States who comes across any evidence of any violation of any criminal