

These activities are primarily educational and aimed at voluntary compliance, but as we pick up willful violations in the course of our regular compliance surveys, evidence leading toward prosecution is obtained.

The findings normally are handled administratively for correction or where further investigations is necessary it is conducted with a view of action before the Commission or in the Federal courts. We receive complaints from shippers, other carriers, State regulatory bodies, and the general public alleging violations of the law.

Where these allegations are made, they are investigated and handled for administrative correction. Where they are flagrant or continuing, they become the subject of prosecution in courts or proceedings before the Commission.

We develop substantial information concerning violations, and where these are discovered they are assigned for thorough field investigations directed toward determining the degree of noncompliance by the carrier and in some instances by the shipper.

In the course of these investigations we interview people and get evidence for consideration of formal legal enforcement actions. The results of these investigations are then handled by the Commission's enforcement attorneys and become the basis of civil and criminal proceedings in the Federal courts or are made the subject of a formal Commission proceeding.

Mr. THOMPSON. If there are criminal proceedings, is this handled by your staff of attorneys or by the Attorney General's Office?

Mr. PFAHLER. We take it through preparing the pleadings, developing the evidence and then it is turned over to the U.S. attorney, sir.

Mr. THOMPSON. Is this true in a civil case?

Mr. PFAHLER. We use the civil forfeiture procedure partially. In some cases we have to go to court. Our compliance program also includes the administration of the car service provisions of the act. The Commission's agents in the field assure that there is equitable distribution and efficient use of the national railcar fleet.

Our compliance staff polices approximately 19,000 licensed motor carriers and brokers of passengers and property, ranging from small carriers with only a few vehicles operating from one or two terminals, to large carriers operating several thousand pieces of equipment in numerous States and utilizing hundreds of terminals; about 558 rail carriers operating over 26,000 stations and yards encompassing a car fleet of more than 13¼ million freight cars; 230 water carriers operating in coastal and inland water service; and 89 freight forwarders with extensive operations.

The compliance program objectives for fiscal year 1968 are 10,530 compliance surveys; 3,661 initial investigations resulting from complaints or leads supplied by State agencies; and 1,109 final investigations instituted with a view toward formal enforcement action.

It is anticipated that the investigative activities will result in the conclusion of 815 cases through prosecution in the courts or by prelitigation settlements of civil forfeiture claims plus about 200 formal Commission proceedings.

Mr. BROOKS. Would you give us for the record examples of the type cases you have against the various types of carriers with which you are dealing?