

Mr. CONTE. How many cases are pending at the Justice Department?

Could you also give us a statement for the record as to the length of time that these cases have been pending? These are criminal cases. Is that correct?

Mr. BROWN. Yes, Congressman. Fifty-eight civil cases are pending right now at the Department of Justice. And we have submitted as exhibit No. 5 the aging of these cases.

By the way, there is a correction or two that has to be made, and a corrected copy has to be submitted.

The CHAIRMAN. Elaborate on the table, Mr. Brown, for the committee.

Mr. BROWN. These show the months that these cases have been at the Department of Justice, and the civil cases that have been transmitted over there from August 1, 1966, which was just after the hearings held by this committee, to April 30 of this year.

It shows a total of 65 cases that have been there less than 6 months; 39 cases have been with the Department of Justice from 6 to 12 months; 17 have been with it for a period of 12 to 18 months, and five from 18 to 24 months, for a total of 126 of completed and incomplete cases transmitted between August 1, 1966, and August 30, 1968.

Mr. CONTE. Criminal cases went down.

Prosecution declined 10. Can you elaborate on that?

Mr. BROWN. These are cases that the Department of Justice has returned to SBA with the notation that there is not sufficient evidence to prosecute the licensee under the criminal violations. And 10 are pending over there in the criminal, and 58 are pending in the Civil Division of the Department of Justice.

Mr. CONTE. How long have those 10 been pending?

Mr. BROWN. I am not sure that we have a break-out on these 10, but we can certainly supply it for you, Congressman.

Mr. CONTE. Why don't you do that?

(The information referred to follows:)

CRIMINAL REFERENCES PENDING AS OF APR. 30, 1968

Name	Date reference made to Justice	Length of time at Justice (months)
1. Sunset Capital Corp.....	Nov. 3, 1967	5
2. Summit Capital Corp.....	Apr. 29, 1968 ¹	0
3. Sterling Fund, Ltd.....	Apr. 27, 1967	12
4. Pep Capital, Inc.....	Jan. 24, 1968	3
5. Northwest Science Investment Corp.....	Jan. 17, 1968	3
6. Medical Capital Corp.....	May 8, 1967	11
7. Hydrocarbon Capital Corp.....	Aug. 4, 1967	8
8. Hawkeye Venture Capital Corp.....	Apr. 1, 1968	0
9. Diversified Capital Funding Corp., and Citizens Funding Corp. of Texas ²	June 20, 1967	10
10. First SBIC of Tampa, Inc. ³	Sept. 22, 1967 ³	7

¹ Criminal reference declined on May 14, 1968.

² 2 licensees are involved in the single criminal reference. An indictment was returned on Mar. 21, 1968.

³ The criminal reference in this case was erroneously omitted from the information previously furnished. There are 10 pending criminal references at the Department of Justice. An indictment was returned in First SBIC of Tampa, Inc., on Feb. 20, 1968.

Mr. CONTE. Mr. Brown, there is pending at the present time before the SEC an application requesting an exemption for all SBIC's from most of the SEC regulations. This is based on the opinion of many SBIC's that the present regulations by SEC and SBA are too cumber-