



Highlights of [GAO-08-125](#), a report to the Chairman, Subcommittee on Telecommunications and the Internet, Committee on Energy and Commerce, House of Representatives

Why GAO Did This Study

The Federal Communications Commission (FCC) annually receives about 100,000 complaints from individuals and companies. FCC has the authority to investigate these complaints and take enforcement action if it finds a violation of the telecommunications laws and rules, which are designed to ensure, for example, that individuals have access to 911 services and a wider affordable range of communication services.

As requested, this report reviews FCC's enforcement program and (1) summarizes the number and type of complaints received, investigations conducted, and enforcement actions taken by FCC from 2003 through 2006; (2) discusses how FCC assesses the impact of its enforcement program; and (3) discusses challenges FCC faces in providing complete and accurate information on its enforcement program. To address these objectives, GAO analyzed FCC's databases, interviewed FCC officials, telecommunications executives, and experts.

What GAO Recommends

The Chairman, FCC, should improve FCC's data collection and analysis to help it better manage its enforcement efforts and develop and implement performance goals and outcome measures for its enforcement program. FCC said it has already implemented measures that address both recommendations; however, the actions it identified do not fully address our recommendations.

To view the full product, including the scope and methodology, click on [GAO-08-125](#). For more information, contact Mark Goldstein at (202) 512-2834 or goldsteinm@gao.gov.

TELECOMMUNICATIONS

FCC HAS MADE SOME PROGRESS IN THE MANAGEMENT OF ITS ENFORCEMENT PROGRAM BUT FACES LIMITATIONS, AND ADDITIONAL ACTIONS ARE NEEDED

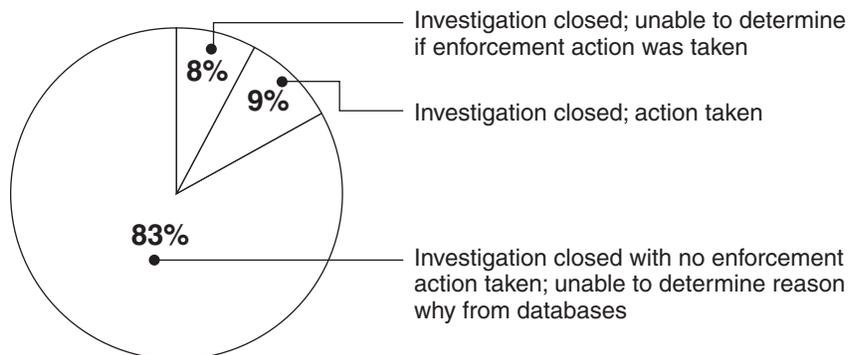
What GAO Found

According to GAO's analysis of FCC data, between 2003 and 2006, the number of complaints received by FCC totaled about 454,000 and grew, from almost 86,000 in 2003, to a high of about 132,000 in 2005. The largest number of complaints alleged violations of the do-not-call list request and telemarketing during prohibited hours. FCC processed about 95 percent of the complaints it received. FCC also opened about 46,000 investigations and closed about 39,000; almost 9 percent of these investigations were closed with an enforcement action, and about 83 percent were closed with no enforcement action. GAO was unable to determine why these investigations were closed with no enforcement action because FCC does not systematically collect these data. FCC told GAO that some investigations were closed with no enforcement action because no violation occurred or the data were insufficient.

FCC assesses the impact of its enforcement program by periodically reviewing certain program outputs, such as the amount of time it takes to close an investigation, but it lacks management tools to fully measure its outcomes. Specifically, FCC has not set measurable enforcement goals, developed a well-defined enforcement strategy, or established performance measures that are linked to the enforcement goals. Without key management tools, FCC may have difficulty assuring Congress and other stakeholders that it is meeting its enforcement mission.

Limitations in FCC's current approach for collecting and analyzing enforcement data constitute the principal challenge FCC faces in providing complete and accurate information on its enforcement program. These limitations make it difficult to analyze trends; determine program effectiveness; allocate Commission resources; or accurately track and monitor key aspects of all complaints received, investigations conducted, and enforcement actions taken.

Disposition of FCC's 39,000 Closed Investigations, Calendar Years 2003 through 2006



Source: GAO analysis of Enforcement Bureau's databases.