

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of

Improving Customer Service and Protecting Consumers through Onshoring	)	CG Docket No. 26-52
	)	
Advanced Methods to Target and Eliminate Unlawful Robocalls	)	CG Docket No. 17-59
	)	
Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991	)	CG Docket No. 02-278
	)	

**COMMENTS OF THE VOICE ON THE NET COALITION**

The Voice on the Net (“VON”) Coalition<sup>1</sup> hereby submits these comments in response to the draft Notice of Proposed Rulemaking (the “Draft NPRM”) in the above-referenced dockets, scheduled for consideration at the Commission’s March 26, 2026, Open Meeting.<sup>2</sup> Specifically, VON has serious concerns with the breadth of the issues raised in the draft and recommends that should the Commission adopt the item, rather than a NPRM, it should be released as a Notice of Inquiry, allowing the Commission an opportunity to gather information and develop a narrower set of specific proposals.

**A. The Proposals Rest on Questionable Legal Authority**

It’s questionable whether the Communications Act provides the FCC legal authority to dictate 1) where service providers locate customer service representatives (“CSRs”); 2) the English

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<sup>1</sup> The VON Coalition works to advance regulatory policies that enable Americans to take advantage of the promise and potential of internet communications. See [www.von.org](http://www.von.org).

<sup>2</sup> *Notice of Proposed Rulemaking*, CG Docket Nos. 26-52, 17-59 and 02-278, FCC-CIRC 2603-01 (rel. March 5, 2026).

proficiency of those CSRs; 3) what percentage of calls to CSRs may be handled outside the United States; 4) that notice must be provided if a call is handled by a CSR is located outside the United States and the caller provided an opportunity to have the call transferred (and do so upon request) to a CSR in the United States within similar wait times; 5) calls or other communication involving certain sensitive information only be handled by CSRs in the United States.<sup>3</sup> Chairman Carr himself (then a Commissioner) questioned the legal authority of the Commission to investigate customer service issues in communications industry, in his dissent to a Notice of Inquiry introduced by then Chairwomen Rosenworcel:

Enter today's "customer service" Notice of Inquiry. It seeks comment on whether companies should allow callers to press "0" to reach an operator or some other number instead, whether customer service centers are located in convenient locations or not, whether the FCC should review and regulate the voluntary fees some customers may pay to skip service wait times, or whether AI technologies should be allowed to operate as an equivalent or alternative to live service representatives. And in many cases, the actions explored by the NOI would require the FCC to go well beyond the bounds of our authority under the Communications Act. Indeed, much of what the FCC considers here would fit more appropriately within the scope of the Federal Trade Commission's jurisdiction. In fact, the FTC has opened up a proceeding to look at these types of things already. We should leave those cross-cutting consumer protection issues to the nation's lead consumer protection agency—the FTC. We should color within the lines drawn by the Communications Act. And we should focus our time and resources on policies that will help bring more Americans across the digital divide.<sup>4</sup>

The Draft NPRM raises a multitude of wide-ranging questions. The Commission and the public interest would be better served by collecting information to these questions in a Notice of Inquiry, which could be followed by a Notice of Proposed Rulemaking with specific proposals based on public input. This approach would ensure that commenters are able to provide

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<sup>3</sup> Draft NPRM at pages 32-34. The proposals may also raise First Amendment issues regarding government prohibition on protected speech.

<sup>4</sup> Dissenting Statement of Commissioner Brendan Carr, Strengthening Customer Service in the Communications Industry, CG Docket No. 24-472 (rel. October 23, 2024).

meaningful input on the issues that the specific proposed rules may raise, including the Commission's legal authority to adopt the rules and potential unintended consequences for American consumers and American businesses.

### **B. The Proposals Rest on Questionable Concerns about Customer Satisfaction**

A premise for the Draft NPRM is that US consumers regularly experience frustration when they connect to call center located abroad, suggesting that language makes it difficult for consumers to get a satisfactory resolution to their problem.<sup>5</sup> However, the support for those claims are surveys critical of customer service generally and anecdotal data more than 10 years old that's not specific to the communications industry.<sup>6</sup>

There are numerous aspects of customer care services that can impact consumer satisfaction, including hold times, hours of availability, the call taker's language skills, adequate call-taker training, and effective escalation processes, among others. For US companies, these are differentiators – ways in which they compete in the marketplace. Some companies, for example, train their call-takers to state at the outset that they are in an American city presumably to differentiate their service from the competition. Similarly, some companies locate call centers in varied time zones around the globe to better enable 24X7 customer care.

The adoption of rigid rules by the Commission could result in reduced hours of availability and/or increased wait times, to the detriment of consumers. Moreover, eliminating companies' ability to differentiate and compete, through unnecessary regulation, is not in the public interest. The Draft NPRM itself includes evidence that the market is working, making regulatory intervention unnecessary. For example, it cites a 2019 Forbes story 2019 that said companies

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<sup>5</sup> Draft NPRM at para. 1.

<sup>6</sup> Id. at paras 6-7.

were moving call centers back to the US because they believed that's what their customers wanted.<sup>7</sup>

### **C. The Proposals Rest on Questionable Privacy and Security Concerns**

To the extent there are privacy and security risks associated with customers' data being handled at a call center – foreign or domestic – the answer is not simply moving call centers to the US. Rather, the answer is effective data protection requirements that apply to US customers' data, regardless of where the data is handled, inside or outside the US. There are narrower solutions that should be tailored to the problem.

### **CONCLUSION**

For the reasons discussed herein, the Commission should address these important issues in a Notice of Inquiry rather than a Notice of Proposed Rulemaking.

Respectfully submitted,

#### **VOICE ON THE NET COALITION**

/s/ Glenn S. Richards

Glenn S. Richards  
Dickinson Wright PLLC  
1825 Eye Street, NW, Suite 900  
Washington, DC 20006  
(202) 466-5954  
[grichards@dickinson-wright.com](mailto:grichards@dickinson-wright.com)

Its attorney

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<sup>7</sup> Id. at Footnote 11.