Before the
FEDERAL COMMUNICATIONS CCOMMISSION
Washington, DC 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
Empowering Broadband Consumers Through Transparency	)	CG Docket No. 22-2

COMMENTS OF THE VOICE ON THE NET COALITION

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SUMMARY

The Voice on the Net Coalition respectfully submits that the FCC's proposed onshoring and call-center rules exceed the Commission's statutory authority, rest on an insufficient record, and would harm consumers by raising costs, reducing flexibility, and likely accelerating automation rather than creating U.S. jobs. The NPRM contemplates prescriptive measures that rely on scant and dated support to generalize consumer dissatisfaction and security risks from offshore centers. Critically, the Communications Act does not authorize the Commission to dictate workforce location or language standards, and the CPNI rules cannot support a general data-security regime or geographic mandates. The NPRM's approach also conflicts with Executive Branch directives to avoid regulatory overreach and overlaps with the Federal Trade Commission's clearer mandate to police unfair or deceptive practices.

On the merits, the record does not demonstrate that offshore customer service systematically degrades outcomes or security, and rigid onshoring mandates would undermine 24/7, "follow-the-sun" support models that depend on globally distributed human and technical resources. Service quality is driven by backend systems, training, and escalation protocols rather than agent geography; providers already use contracts to require English proficiency, performance metrics, data-protection obligations, and termination rights for breaches. Imposing onshoring and contractual "flow-down" requirements would increase costs, reduce availability, and likely prompt substitution toward AI/IVR solutions, yielding fewer—not more—U.S. customer-service jobs. Because the proposals would distort market operations, conflict with longstanding Commission policies favoring affordability and ubiquity, and lack a firm legal foundation, the Commission should decline to adopt the NPRM's customer service regulations.

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COMMENTS OF THE VOICE ON THE NET COALITION

The Voice on the Net ("VON") Coalition[1] hereby submits these comments in response to the Notice of Proposed Rulemaking (the "NPRM") in the above-referenced dockets.[2] VON appreciates the Commission's concern that Americans are frustrated with overseas call centers and shares the Commission's goal of ensuring that consumers receive responsive, high-quality, and secure customer service. However, for the reasons discussed below, VON respectfully submits that the proposals will not benefit American consumers or increase security. They also rest on dubious factual and legal grounds. For these reasons, the Commission should decline to adopt the proposal.

[1] 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.
[2] *Notice of Proposed Rulemaking,* CG Docket Nos. 26-52, 17-59, 02-278 and 22-2, (rel. March 27, 2026); see also 91 Fed. Reg 21761 (April 23, 2026) (announcing a comment date of May 26, 2026).

BACKGROUND

In the NPRM the Commission seeks comment on proposals that would dictate employment requirements for communication service providers' workforce and micromanage how support calls are handled. The Commission proposes that (i) offshore CSRs are proficient in spoken and written American Standard English; (ii) only an unspecified percent of calls are handled by offshore CSRs; (iii) customers are informed when calls are handled by offshore CSRs and provide the customer an opportunity to have the call transferred to a CSR located in the United States; (iv) wait times for calls transferred to the United States must be no longer than those for calls routed directly to a CSR located within the United States; (v) calls, email, texts or online chats involving access to or transmission of sensitive customer information are handled by a CSR in the United States; (vi) no offshore CSR is located in a foreign adversary nation; and (vii) compliance with the new rules is tracked and reported.[3]

The Commission posits, with little record support, that consumers have poor experiences with offshore CSRs, that adoption of the rules might create American jobs, and that foreign call centers with access to consumer sensitive information are used by bad actors to run scams targeting American consumers and flood America with illegal robocalls, resulting in financial crimes that victimize American citizens. [4] To support these premises, the Commission relies on a few studies and articles (some of which are more than six years old[5]), a reference to "numerous complaints" it received,[6] though only five undated complaints are cited, and one enforcement action from 2015. This record is not sufficient to support these sweeping proposals.

[3] NPRM at Appendix A.
[4] Id. at paras. 1-3.
[5] See, e.g., NPRM at footnotes 5 and 10.
[6] Id. at para. 25.

DISCUSSION

I. CONGRESS HAS NOT GIVEN THE COMMISSION JURISDICTION OVER AMERICAN COMPANIES' WORKFORCES

The Communications Act contains no provision that authorizes the Commission to prescribe the geographic location of a telecommunications provider's customer service workforce or the linguistic capabilities of its employees.

The Commission proposes to rely on Section 201(b) of the Communications Act—which requires that common carrier practices "in connection with" communication service be "just and reasonable"—as authority to mandate customer service location and language practices. NPRM ¶¶ 78–79. This proposed reliance stretches Section 201(b) well beyond its established scope.

Historically, Section 201(b) has been applied to practices that directly bear on the provision of telecommunications service—tariff terms, interconnection arrangements, access charges—not to employment and geographic deployment decisions of a provider's customer service organization. The choice of where to locate a workforce and what language skills to require of that workforce are core business management decisions, not "practices . . . in connection with" the provision of a telephone call or internet connection.

The Commission notes that the Sixth Circuit in Ohio Telecom Ass'n v. FCC, 150 F.4th 694 (6th Cir. 2025), recognized that Section 201(b) may independently authorize data protection rules beyond the specific requirements of Section 222. NPRM ¶ 86. But upholding data protection rules under Section 201(b) is a far more modest proposition than using that provision to dictate where a provider must locate its call center facilities. The Commission should not read *Ohio* Telecom as an invitation to extend Section 201(b) into uncharted regulatory territory.

Instead, the courts have limited the FCC's authority over the activities of providers when

those providers are not acting as a common carrier under Section 201(b). In *Comcast Corp. v. FCC,*[7] the court held that the FCC did not have authority to regulate Comcast's network management practices, which fell outside of Title II. The court held that the FCC's ancillary authority is not a general authority to implement desired policy outcomes; it must be tied to a specific, delegated statutory responsibility. Similarly, in *FTC v. AT&T Mobility LLC*, the Ninth Circuit adopted the activities-based approach for determining whether the FTC or FCC has jurisdiction over a given activity, reflected also in the Communications Act itself. Section 201(b) itself is limited to practices, etc., "for and in connection with such communication service" – not with the general business activities or other non-communications activities of providers.

The Commission also proposes to use Section 222 of the Act—which governs the protection of Customer Proprietary Network Information ("CPNI")—as authority to mandate domestic-only handling of non-CPNI sensitive data, including passwords and credit card information. NPRM ¶ 80. This extension misstates what Section 222 was designed to do.

Section 222 is a carefully bounded consumer privacy provision directed at the handling of CPNI—call detail records and related telecommunications data generated by the carrier-customer relationship. It was not enacted as a general data security mandate, it does not speak to the geography of call center operations, and compliance with the obligations and requirements of Section 222 apply, regardless of where CPNI is stored or processed. Passwords, payment card numbers, and social security numbers are not CPNI; they are regulated—to the extent they are regulated at the federal level at all—by the FTC Act, the Gramm-Leach-Bliley Act, and other sector-specific statutes administered by agencies other than the FCC.[8] The Commission should

[7] 600 F.3d 642 (2010)

[8] As then Commission Carr noted in his dissent to a 2023 FCC Report and Order that expanded carrier data breach notification rules to include various categories of personally identifiable information, "For instance, instead of limiting the FCC's rule to the set of customer proprietary network information (CPNI) over which the agency has jurisdiction,

resist the temptation to use Section 222 as a hook for a general-purpose data security regime that Congress did not authorize and that other agencies are better positioned to administer.

Several specific proposals in the NPRM raise additional legal concerns. First, the Commission's reliance on Section 217 of the Act as a basis for enhanced provider liability for the acts of foreign call center agents is unnecessary given existing law. NPRM ¶¶ 93–94. Under well-established common law principles, providers are already responsible for the acts of their agents, including call center personnel located abroad, to the extent those agents act within the scope of the agency relationship. Federal courts apply this analysis without regard to geography; the determinative inquiry is the nature and scope of the agency relationship, not the representative's physical location. There is no need for the Commission to test the boundaries of Section 217 when common law principles already adequately address provider accountability.

Second, the Commission's proposals are in tension with current Executive Branch policy directing federal agencies to reduce regulatory burdens and remain within their authorizing statutes. See Executive Order 14192 (2025). Adopting sweeping new regulations over call center operations in a proceeding where statutory authority is, at best, uncertain would run counter to that directive.

Third, many of the consumer protection concerns identified in the NPRM fall squarely within the jurisdiction of the Federal Trade Commission, which has broad authority under Section 5 of the FTC Act to address unfair or deceptive acts or practices—including data misuse by call center personnel. The NPRM itself references the Protecting Americans' Data from Foreign

the Order purports to expand the agency's CPNI framework to an expansive set of personally identifiable information (PII)—even though Congress never gave us authority to regulate PII in this manner and the Commission never sought comment on doing so." *In the Matter of Data Breach Reporting Requirements,"* Report and Order, WC Docket No. 22-21 (rel. December 21, 2023) at p. 99.

Adversaries Act of 2024, which treats disclosure of sensitive personal data to foreign-adversary-controlled entities as an unfair or deceptive practice under the FTC Act. NPRM ¶ 95. Where another agency has a clearer statutory mandate to address these harms, the Commission should defer rather than assert concurrent jurisdiction. *See FTC v. AT&T Mobility LLC*.

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.[9]

The FCC does not have the statutory authority to adopt the proposed rules. While the FCC can certainly adopt regulations that purport to protect American citizens and create American jobs, it must do so within the confines of the Communications Act. Absent that, the FCC should encourage Congress to amend the Communications Act giving it the required authority.

II. THE FCC CANNOT MANDATE "FLOW-DOWN" ONSHORING TERMS TO CUSTOMERS

A. Contractual Interference

The NPRM contemplates requiring regulated providers to incorporate onshoring

[9] Dissenting Statement of Commissioner Brendan Carr, Strengthening Customer Service in the Communications Industry, CG Docket No. 24-472 (rel. October 23, 2024).

commitments or certifications into their private commercial agreements with business customers. VON respectfully submits that the Commission lacks the authority to impose such a requirement.

The relationship between service providers and their business customers is governed by mutually negotiated commercial agreements that reflect the particular needs, risk tolerances, and operational requirements of each customer. The Commission's authority under the Communications Act, even read broadly, does not extend to dictating the content of private commercial contracts between regulated entities and their customers. The Commission acknowledges in the NPRM that its authority over "stand-alone" providers of non-interconnected VoIP and internet-only services is limited. NPRM ¶¶ 63, 83–85. Extending flow-down requirements to such entities—requiring them to pass onshoring obligations through to their own customers—would exceed the Commission's authority under both Title I (ancillary authority) and Title II. Ancillary authority is properly exercised only to further specific statutory mandates; it cannot be used to bootstrap an entirely new regulatory regime for entities that Congress has not subjected to common carrier obligations. The Commission should decline to impose flow-down requirements on any category of provider. Requiring providers to insert geographic service requirements into those contracts would constitute an unprecedented intrusion into commercial freedom for which there is no clear statutory basis. It would also put the FCC in the position of attempting to impose its policy goals on the non-communications commercial activities of entities that are not otherwise subject to FCC authority.

Such a mandate would also be unworkable in practice. Business customers negotiate service agreements for a wide variety of purposes and on varying timelines. Requiring modifications to existing agreements would impose significant transaction costs on providers and customers alike, with no corresponding consumer benefit. Business customers that want

assurances about the domestic location of customer service representatives are already free to negotiate those terms directly—and many do. Given this reality, we ask that the FCC exempt services to enterprise customers from any requirements or regulations.

B. The Proposals Rest on Questionable Concerns about Customer Satisfaction

A premise for the NPRM is that US consumers regularly experience frustration when they connect to call centers located abroad, suggesting that language and distance makes it difficult for consumers to get a satisfactory resolution to their problem.[10] However, the support for those claims are surveys critical of customer service generally, anecdotal data more than 10 years old that's not specific to the communications industry and references to five undated complaints filed with the Commission.[11]

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, availability of appropriate subject matter experts 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 could result in reduced hours of availability and/or increased wait times, to the detriment of consumers, if affected companies believe that the cost of compliance

[10] NPRM at paras. 1, 9-12.

[11] Id. at paras 6-13, footnotes 1-23. For example, offshore call centers are not mentioned at all in the ACSI study referenced in Footnote 1. In addition, only one of the companies listed in the CWA sampling of US companies with offshore call centers referenced in Footnote 5 is a communications company that would be affected by the proposed rules (T-Mobile).

with the rules (or onshoring to US call centers) outweighs the benefits and closes those offshore call centers. It may also result in the affected companies replacing foreign call centers with AI chatbots located in the United States. Moreover, eliminating companies' ability to differentiate and compete, through unnecessary regulation, is not in the public interest. The NPRM itself includes evidence that the market is working, making regulatory intervention unnecessary. For example, it cites a 2019 Forbes story that said companies were moving call centers back to the US because they believed that's what their customers wanted.[12]

The NPRM also downplays the importance of commercial arrangements to protect their customers sensitive information, suggesting those arrangements may fall short.[13] However, US service providers can terminate offshore call center contracts where there have been data breaches or unauthorized disclosures of customer or other confidential information. Moreover, once such information becomes public, other US service providers will not contract with careless or negligent offshore call centers; resetting expectations for other offshore call centers.

C. The NPRM Fails to Appreciate the Commercial Dynamics and Customer Benefits of the Customer Support Operations Offered by the Communications Industry

Call center operations provide support through a combination of technical and human assets that are deployed globally in order to provide the most effective customer support on a 24/7 basis. Determining how these assets are allocated and operations managed is based on the needs and best interests of the service provider's customers. Disrupting this operational model in order to meet arbitrary domestic onshoring goals will reduce customer service quality and raise costs for consumers.

[12] Id. at Footnote 10.
[13] Id. at para. 14. These contracts will also generally include requirements for English proficiency, performance metrics tied to customer satisfaction, and a process for escalating unresolved customer queries, including to staff within the United States.

The communications industry provides a wide-variety of customer support services, from AI driven solutions, Interactive Voice Response (IVR), and domestic and international in-person resources. These resources are scaled and managed based on customer demand, which is non-linear and can vary from minute to minute based on product, time of day, network disruptions, etc. These operations must be optimized for maximum flexibility by combining human expertise with globally distributed workforces and advanced technical tools. Across these models, service quality is primarily driven by backend systems, training, and escalation protocols, not agent location. Frontline agents, regardless of geography, rely on consistent scripts, systems to diagnose issues and route requests, and the appropriate subject matter experts that may be located anywhere in the world.

The ability to "offshore" is fundamental for service providers to maintain this flexible 24/7 availability and expertise at reasonable costs. The combination of offshore and domestic IT and human resources allows customer service operations to adopt a "follow-the-sun" model, which would be unavailable if the workforce or subject matter experts were limited to one geographic region.

Domestic-only centers are cost-prohibitive for the current 24/7 service being provided, and the proposed regulations would decrease customer support services. For decades, the FCC has advocated ubiquitous broadband availability and competitive transmission costs in the U.S. and internationally, which has contributed to the advanced communications services offered by VON's members and the 24/7 customer support services that U.S. consumers enjoy today. This customer service onshoring proposal is contrary to these policies. At a time when affordability is a significant driver of the economic and political dialogue in the U.S., this proposal will increase labor and facilities costs, which inevitably will flow down to consumers.

D. Onshoring Mandates Will Not Result in Net New Jobs for Americans

The Commission's stated goal of restoring American jobs lost when call center operations moved offshore reflects legitimate public concern. NPRM ¶¶ 1, 8. However, the economic realities of the customer service labor market make it unlikely that the proposed rules would achieve this objective. The wage differential between U.S.-based customer service representatives and their international counterparts is substantial. Companies facing this constraint will be presented with difficult choices: raise prices for consumers, reduce domestic employment in other areas to offset the increased customer service costs, or accelerate investment in automated and AI-driven customer service technologies that eliminate the need for live representatives entirely.

The last of these outcomes is the most probable. Rather than staffing expensive domestic call centers, companies will deploy chatbots, interactive voice response systems, and AI agents capable of handling routine inquiries without any human involvement. The net effect on American employment in customer service could well be negative, as the regulatory cost accelerates automation rather than incentivizing human hiring.

If the Commission and Congress wish to encourage domestic job creation in customer service and related technology sectors, a more effective approach would be to support American companies developing customer service technologies—through R&D incentives, workforce training programs, and policies that make the United States an attractive location for technology investment—rather than imposing mandates that distort market decisions without addressing the underlying economic dynamics.

CONCLUSION

For the reasons discussed herein, the Commission should not adopt the proposed customer service regulations.

Respectfully submitted,

VOICE ON THE NET COALITION

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