

**FCC FACT SHEET\***

**Improving Customer Service and Consumer Protection**

**Improving Customer Service and Protecting Consumers through Onshoring; Advanced Methods to Target and Eliminate Unlawful Robocalls; Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991**

Notice of Proposed Rulemaking – CG Docket Nos. 26-52, 17-59 and 02-278

**Background:** Consumers in the U.S. regularly experience frustration and inconsistent outcomes when they connect with a customer service call center located abroad. In addition, there are privacy, data protection, and national security issues unique to call centers located abroad, and bad actors have illicitly accessed customer data or information to advance criminal endeavors. Further, call centers overseas are being used to flood America and our citizens with illegal robocalls, including to carry out financial crimes and victimize consumers living here.

In this Notice of Proposed Rulemaking, the Commission would seek comment on a range of actions to encourage and facilitate onshoring of call centers, improve customer service and security of communications, and steps to address illegal robocall scams that originate inside foreign call centers.

**What the Notice of Proposed Rulemaking Would Do:**

- Propose to require that providers of telecommunications service, commercial mobile radio service (CMRS), interconnected Voice over Internet Protocol (VoIP) service, cable television service, and direct broadcast satellite (DBS) service, and their affiliates:
  - Ensure that call center staff are proficient in American Standard English;
  - Limit the percentage of customer service calls they make from or answer at offshore call centers;
  - Inform customers when a call is being handled outside the United States;
  - Upon consumer request, transfer calls to a call center located within the United States;
  - Track and report compliance with the rules adopted in this rulemaking; and
  - Handle consumer transactions involving sensitive customer data only at contact centers located within the United States.
  
- Seek comment on:
  - Whether the proposed rules should apply to non-voice communications such as on-line chat, texts, and/or electronic mail messages handled in offshore customer service centers;
  - Whether the proposed rules should apply to providers of Internet-only services, such as Internet access and non-interconnected VoIP;
  - Whether some or all the proposed rules should apply to all calls covered by the Telephone Consumer Protection Act, whether or not placed by communications service providers;
  - Whether the Commission should use tariffs or bond requirements to deter foreign scammers from making illegal calls to American consumers; and,
  - Other approaches to address the problems with offshore call centers.

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\* This document is being released as part of a “permit-but-disclose” proceeding. Any presentations or views on the subject expressed to the Commission or its staff, including by email, must be filed in CG Docket Nos. 26-52, 17-59, and 02-278, which may be accessed via the Electronic Comment Filing System (<https://www.fcc.gov/ecfs>). Before filing, participants should familiarize themselves with the Commission’s *ex parte* rules, including the general prohibition on presentations (written and oral) on matters listed on the Sunshine Agenda, which is typically released a week prior to the Commission’s meeting. See 47 CFR § 1.1200 et seq.

Before the
Federal Communications Commission
Washington, D.C. 20554

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

NOTICE OF PROPOSED RULEMAKING IN CG DOCKET NO. 26-52 ; TENTH FURTHER
NOTICE OF PROPOSED RULEMAKING IN CG DOCKET NO. 17-59; FURTHER NOTICE OF
PROPOSED RULEMAKING IN CG DOCKET NO. 02-278\*

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By the Commission:

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\* This document has been circulated for tentative consideration by the Commission at its March 26, 2026 open meeting. The issues referenced in this document and the Commission’s ultimate resolutions of those issues remain under consideration and subject to change. This document does not constitute any official action by the Commission. However, the Chairman has determined that, in the interest of promoting the public’s ability to understand the nature and scope of issues under consideration, the public interest would be served by making this document publicly available. The Commission’s ex parte rules apply and presentations are subject to “permit-but disclose” ex parte rules. See, e.g., 47 CFR §§ 1.1206, 1.1200(a). Participants in this proceeding should familiarize themselves with the Commission’s ex parte rules, including the general prohibition on presentations (written and oral) on matters listed on the Sunshine Agenda, which is typically released a week prior to the Commission’s meeting. See 47 CFR §§ 1.1200(a), 1.1203.

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**I. INTRODUCTION**

1. Over the past few decades, many corporations shifted their customer service and call center operations from America to a range of foreign countries. These moves not only took jobs away from communities across the country, they created a range of other problems as well. Today, consumers in the U.S. regularly experience frustration and poor customer service when they connect with a call center operation located abroad. There can be language, communication, and other barriers that make it difficult, if not impossible, for consumers to get a satisfactory resolution to their problem.

2. Issues with offshore call centers extend beyond consumer frustrations and language barriers. For one, there are an entire set of privacy, data protection, and national security issues that are unique to call centers located abroad, especially when dealing with sensitive payment or account information. Bad actors working inside foreign call centers have been known to illicitly access customer data or information to advance criminal endeavors. And many foreign countries do not impose the same legal protections that we have in the U.S. Persons trained at foreign call centers have also been known to use that training to help them run scams targeting American consumers. Additionally, there are a whole host of call centers overseas that are being used to flood America and our citizens with illegal robocalls, including to carry out financial crimes and victimize consumers living here.

3. Therefore, the FCC is seeking comment today on a range of actions that can address the problems with foreign call centers – whether they are associated with a legitimate U.S. business or part of an international robocalling scheme. First, we are seeking comment on actions that would encourage and facilitate the onshoring of call centers. These ideas range from limiting the percentage of calls that can be connected to overseas call centers, to requiring covered providers to disclose the location of the foreign call center, and empowering consumers to transfer calls to a U.S.-based customer service representative. Bringing these operations back home is not only good for American jobs, it can promote the type of secure and quality interactions that consumers and companies alike should want.

4. Second, we are seeking comment on steps the FCC can take to improve the customer service and security of communications between an American and any call center that remains abroad. These ideas include requiring workers at call centers to be proficient in American Standard English and otherwise be trained appropriately for resolving issues with U.S. customers.

5. Third, we seek specific comment on steps we can take to address illegal robocall scams that originate inside foreign call centers. For example, we seek comment on ways we can take the profit out of those operations. To that end, we seek comment on requiring the use of bonds or tariffs<sup>1</sup> in

<sup>1</sup> In this context, the term “tariff” refers to duties on calls entering the U.S., akin to duties on imported goods rather than to a schedule of charges for telecommunications services as contemplated in section 203 of the Communications Act. 47 U.S.C. § 203.

appropriate circumstances. Throughout, we seek comment on the scope of the FCC's legal authority. This includes identifying the types of covered businesses that the FCC could lawfully regulate through these proposed rules. Specifically, we seek comment on applying these regulations to call centers operated by communications providers regulated by the FCC, acknowledging limits on the FCC's authority to address all potential call centers located overseas.

## II. BACKGROUND

6. *Low Customer Satisfaction with Providers' Call Centers.* Consumer surveys often reflect low levels of satisfaction with providers' call center operations. For example, recent surveys of customer satisfaction in the communications industry ranked Internet access service as having the lowest overall customer satisfaction score, and subscription TV, which includes cable and DBS, as having the second lowest.<sup>2</sup> Wireless telephone service was slightly better, but still in the bottom one-fifth.<sup>3</sup> These rankings are based on consumer satisfaction scores for forty-one benchmark products, which did not include landline telephone service regardless of whether it is provided over legacy or Internet Protocol (IP) networks.<sup>4</sup> Consumers were less satisfied with providers' call center operations than with any other surveyed aspect of the providers' services.<sup>5</sup>

7. *Use of Foreign Centers.* A significant number of businesses in the United States use call centers in foreign countries when communicating with consumers.<sup>6</sup> On behalf of U.S. businesses, such call centers make calls to consumers in the United States—often using the U.S. telephone numbers associated with the businesses—and receive calls from U.S. consumers, often placed to those same U.S. telephone numbers.<sup>7</sup>

8. Businesses accelerated moving call centers overseas during the earlier parts of this century and the latter parts of the last.<sup>8</sup> Many Americans lost their jobs while other countries gained millions of new ones.<sup>9</sup> For example, one country has over a million people employed in call centers, mostly on behalf of United States businesses.<sup>10</sup> Many call centers contract with multiple United States

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<sup>2</sup> American Customer Satisfaction Index, *ACSI Telecommunications Study 2024*, at 12 (Jun. 4, 2024), <https://theacsi.org/wp-content/uploads/2024/05/24jun-telecom-study-FINAL.pdf> (*ACSI Telecom Study*).

<sup>3</sup> American Customer Satisfaction Index, *ACSI Wireless Phone Service and Cell Phone Study 2023-2024*, at 10 (May 4, 2024), <https://theacsi.org/wp-content/uploads/2024/05/24may-cell-wireless-study-FINAL.pdf> (*ACSI Wireless Study*).

<sup>4</sup> *ACSI Telecom Study* at 12; *ACSI Wireless Study* at 10.

<sup>5</sup> *ACSI Telecom Study* at 4, 6, 8; *ACSI Wireless Study* at 4, 6-7.

<sup>6</sup> See, e.g., Communications Workers of America, *A Sampling of Companies that Send Call Center Work Offshore*, [https://cwa-union.org/pages/a\\_sampling\\_of\\_companies\\_that\\_send\\_call\\_center\\_work\\_offshore](https://cwa-union.org/pages/a_sampling_of_companies_that_send_call_center_work_offshore) (last visited Feb. 26, 2026) (*CWA Sampling*); Communications Workers of America, *Why Shipping Call Center Jobs Overseas Hurts Us Back Home* (April 2017), <https://cwa-union.org/sites/default/files/why-shipping-call-center-jobs-overseas-hurts-us-back-home-april-2017.pdf> (*CWA Report*).

<sup>7</sup> See *Advanced Methods to Target and Eliminate Unlawful Robocalls*, CG Docket 17-59; *Call Authentication Trust Anchor*, WC Docket No. 17-97; *Telephone Consumer Protection Act*, CG Docket No. 02-278; *Dismissal of Outdated or Otherwise Moot Robocalls Petitions*, CG Docket No. 25-307, Ninth Further Notice of Proposed Rulemaking in CG Docket No. 17-59; Seventh Further Notice of Proposed Rulemaking in WC Docket No. 17-97; Further Notice of Proposed Rulemaking in CG Docket No. 02-278; and Public Notice in CG Docket No. 25-307, FCC 25-76, paras. 70-88 (rel. Oct. 29, 2025) (*Call Branding NPRM*).

<sup>8</sup> Donny Donovan, *United States Call Centers – A Complex and Evolving Industry in the Age of Globalization* (Dec. 4, 2024), <https://www.piton-global.com/blog/united-states-call-centers/> (*U.S. Call Centers*).

<sup>9</sup> See, e.g., *CWA Sampling*; *CWA Report*.

<sup>10</sup> Premier NX, *The Philippines has become the Call Center Capital of the World*, <https://premiernx.com/blog/the-philippines-has-become-the-call-center-capital-of-the-world/> (last visited Feb. 26, 2026).

businesses, so a call center might make and receive calls on behalf of multiple businesses.<sup>11</sup>

9. Evidence shows customer service has suffered as a result of this shift. For example, foreign call center staff might not be proficient in American Standard English<sup>12</sup> (e.g., lack a basic understanding of English words typically used by American consumers) or use regional pronunciations and vocabulary<sup>13</sup> that make the customer service interaction difficult to understand.

10. Establishing a baseline of proficiency is an important first step to ensuring effective communication, as demonstrated by the range of tests of persons for whom English is not a first language.<sup>14</sup> The medical field in the U.S. and other English-speaking nations has the Occupational English Test (OET). The Test of English as a Foreign Language (TOEFL) is widely used in higher education in the U.S. The Test of English for International Communication (TOEIC) is oriented toward persons seeking employment in or doing business with English-speaking businesses and nations.<sup>15</sup>

11. However, baseline proficiency is often not enough to ensure successful customer service interactions. Consumers frequently feel that other barriers prevent both effective communication and effective resolution of their problems.<sup>16</sup> These barriers include the physical distance between foreign call center employees and U.S. consumers,<sup>17</sup> as well as different cultural standards for customer service. Taken together, these barriers can inadvertently create misalignments in tone, and misunderstandings of American Standard English idioms, making it difficult for a foreign call center employee and a U.S. consumer to understand each other.<sup>18</sup> Ultimately, effective customer service communication requires understanding of what the consumer is saying, including an understanding of tone, idiomatic expressions, and appreciation of the consumer's cultural expectations around customer service.

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<sup>11</sup> Thomas Dichter, *Call Centers Return to the U.S. – More Companies Get The Link Between Customer Service And Profit* (Mar. 30, 2019), <https://www.forbes.com/sites/thomasdichter/2019/03/30/call-centers-return-to-the-u-s-more-companies-get-the-link-between-customer-service-and-profit/> (*Call Centers Return to the U.S.*).

<sup>12</sup> “American Standard English” generally refers to American formal English as used in academia, business, and other formal settings. It is considered to be widely accepted in the United States and is the form of English customarily taught in schools. *See, e.g.*, Standard English: Definition, Comparisons, Rules, Common Mistakes and Examples, <https://www.edu.com/ela-glossary/Standard-English-Definition-Comparisons-Rules-Common-Mistakes-and-Examples> (last visited Feb. 26, 2026); Collins Dictionary, <https://www.collinsdictionary.com/us/dictionary/english/standard-english> (last visited Feb. 26, 2026). The Scholastic Aptitude Test, which commonly is known as the SAT, tests American Standard English. The College Board, SAT Suite, The Reading and Writing Section, <https://satsuite.collegeboard.org/sat/whats-on-the-test/reading-writing> (last visited Feb. 26, 2026).

<sup>13</sup> Ed Roshelm, *How Language Barriers Affect Customer Service*, <https://www.workplacelanguages.com/customer-service-language-barriers/> (last visited Feb. 26, 2026) (*Language Barriers*); *U.S. Call Centers*; *Call Centers Return to the U.S.*; Complaint 8112683 (“Every Call With ATT That I Have Made Has Been With A Foreign Person Who Has A Horrible Language Barrier & Also Who Does Not Comprehend English Well.”); Complaint 8302878 (“Significant Language Barrier Problems With Customer Service”).

<sup>14</sup> *See, e.g.*, Jessica, *English as a Second Language Certification: A Comprehensive Guide* (Mar. 10, 2025) <https://internationaltefltesol.com/english-as-a-second-language-certification/> (*English Certification Guide*).

<sup>15</sup> Cambridge English, *Occupational English Test*, <https://www.cambridgeenglish.org/exams-and-tests/oet/> (last visited Feb. 26, 2026) (*OET*); Educational Testing Service, *toeic: Powering Global Communication*, <https://www.ets.org/toeic.html> (last visited Feb. 26, 2026) (*TOEIC*); Educational Testing Service, *TOEFL: Opening Doors to a Wide and Diverse World*, <https://www.ets.org/toefl.html> (last visited Feb. 26, 2026) (*TOEFL*).

<sup>16</sup> *Language Barriers*; *Call Centers Return to the U.S.*; *U.S. Call Centers*; Complaint 8112683; Complaint 8302878; Complaint 8358971 (“Brightspeed’s Agents You Talk To On The Phone Are Just People In A Foreign Call Center Reading From A Script. They Are No Real Help At All.”).

<sup>17</sup> *Language Barriers*.

<sup>18</sup> *Call Centers Return to the U.S.*

12. Foreign call center employees also are distant from the business (physically and organizationally, especially if the call center serves multiple businesses)<sup>19</sup> and therefore can lack familiarity with and understanding of the businesses they represent. Consumers find it unhelpful when, for example, a foreign call center employee simply reads a script instead of engaging with the customer in a manner that demonstrates understanding of the business and of what the customer is saying.<sup>20</sup> Other barriers include inefficient and ineffective operating processes, or company practices that do not empower offshore customer service representatives with adequate tools to resolve customer service and billing issues.<sup>21</sup> To mitigate these barriers and enhance customer satisfaction, some businesses have moved call centers back to the United States and re-employed Americans as a result<sup>22</sup> However, many continue to use offshore call centers.

13. Foreign call centers also have failed to protect consumers' sensitive personal information. For example, the Enforcement Bureau entered into a consent decree with a provider after finding that call center personnel in three foreign countries accessed customer information needed to unlock stolen mobile phones and then sold that information.<sup>23</sup> Foreign countries might have fewer legal protections for consumer data and, even worse, in some cases they *require* providers to give foreign governments such information.<sup>24</sup> As a result, United States businesses that make sensitive personal data about consumers available to foreign call centers might have to rely on contractual arrangements to protect sensitive personal data about Americans.<sup>25</sup> The lack of data security in foreign call centers is a matter of both individual privacy and national security.

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<sup>19</sup> *Id.*

<sup>20</sup> See Complaint 8358971.

<sup>21</sup> *Language Barriers; Call Centers Return to the U.S.*

<sup>22</sup> *Call Centers Return to the U.S.*

<sup>23</sup> *AT&T Services, Inc.*, 30 FCC Rcd 2808 (EB 2015).

<sup>24</sup> Call Control, *Where Do Most Scam Calls Come From?* (Nov. 29, 2017), <https://blog.callcontrol.com/post/168025609263/where-do-most-scam-calls-come-from> (*Scam Call Origins*). The Communications Workers of America asserts that storing consumer information outside of the United States removes Fourth Amendment protections against unreasonable searches and seizures. *CWA Report* at 7. In addition, Chinese laws that require businesses and nationals, including those abroad, to gather information on behalf of the Chinese government are well publicized. See, e.g., Elaine K. Dezenski and David Rader, *The U.S. Must Combat CCP-Sanctioned Overseas Spying by Private Entities: Chinese law turns even private actors into state collectors of intelligence. America must fight back.* (Nov. 22, 2023), <https://www.fdd.org/analysis/2023/11/22/the-u-s-must-combat-ccp-sanctioned-overseas-spying-by-private-entities-2/> (*China Data Collection*); Office of Innovative Technologies, University of Tennessee, *China National Security Laws*, <https://oit.utk.edu/wp-content/uploads/China-National-Security-Laws.pdf> (last visited Feb. 26, 2026) (*China National Security Laws*).

<sup>25</sup> Writing data protection requirements into contracts might not be enough. For example, the Enforcement Bureau recently entered a Consent Decree requiring a provider to strengthen protection of Personally Identifiable Information (PII) and Sensitive Personal Information (SPI) when such information is available to third-party contractors. The strengthened protections include increased oversight of third-party contractors and technical approaches, including encryption and tokenization, to protecting consumers' information. *Comcast Cable Communications, LLC*, Consent Decree, File No. EB-IHD-24-00037307, DA 25-973 (EB Nov. 24, 2025) (*Comcast Consent Decree*). Similarly, the Enforcement Bureau entered a consent decree last year with a provider that failed to exercise oversight to ensure that a third-party contractor complied with contractual provisions regarding protection of consumer information. *AT&T Services, Inc.*, File No. EB-TCD-23-00034851, DA 24-892 (EB Sep. 16, 2024). In addition, the Courts of Appeal for the Second and District of Columbia Circuits recently rejected challenges to enforcement actions taken against providers after third-party contractors failed to obtain customer consent before accessing and using customer information when the providers contractually required the third-party contractors to obtain consent, but did not exercise further oversight. The level of oversight was not directly at issue in those appeals, but was a factor in the Commission's decision. *Sprint Corp. v. FCC*, 151 F.4<sup>th</sup> 347 (D.C. Cir 2025); *Verizon Comm., Inc. v. FCC*, 156 F.4<sup>th</sup> 86 (2d. Cir. 2025) (*cert. granted*, 2026 WL 73090 (Jan. 9, 2026)).

14. In addition, and as noted above, foreign call centers often contract with multiple businesses<sup>26</sup> and thereby might have access to information that is subject to several different U.S. data protection laws. For example, Customer Proprietary Network Information (CPNI) is subject to section 222 of the Communications Act and the Commission's implementing rules,<sup>27</sup> while financial information is subject to statutes and implementing rules administered by a variety of federal agencies.<sup>28</sup> Consumer information in other industries or regarding other subjects might be subject to lesser, greater, or different requirements.<sup>29</sup> In a call center located in a foreign country, staff and supervisors might not have experience with or understanding of the multiplicity of data protection laws extant in the U.S. This raises additional questions about the ability of foreign call centers to safeguard consumer information as required by the U.S. law that applies to a particular industry or consumer.

15. *Scam Calls Originating Abroad.* Foreign-originated scam calls cost American consumers millions of dollars and, in some cases, their life savings.<sup>30</sup> By one estimate, scam calls cost Americans nearly \$30 billion during 2021, with almost \$700 million documented in complaints filed with the Federal Trade Commission (FTC).<sup>31</sup> By 2024, complaints filed with the FTC indicate that older Americans alone lost \$700 million just to scams where the scammer impersonated a government agency or known business.<sup>32</sup> Many of the victims lost more than \$10,000, multiple victims lost more than \$100,000, and scammers initiated more (41%) of these scams through a telephone call than through any other method.<sup>33</sup> Overall for 2024, while phone calls were not the most used method of initiating scams, phone scams resulted in the highest dollar losses per victim.<sup>34</sup>

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<sup>26</sup> *Call Centers Return to the U.S.*

<sup>27</sup> 47 U.S.C. § 222; 47 CFR § 64.2001 *et seq.*; *see also* 47 U.S.C. § 551 (protecting privacy of cable television subscribers).

<sup>28</sup> *See, e.g.*, Right to Financial Privacy Act, 12 U.S.C. §§ 3401-3423; Fair Credit Reporting Act, 15 U.S.C. §§ 1681-1681x; Gramm-Leach-Bliley Act, 15 U.S.C. §§ 6801-6809, 6821-6827; *see also, e.g.*, 16 CFR § 314.1 *et seq.* (FTC regulations implementing the Gramm-Leach-Bliley Act).

<sup>29</sup> *See, e.g.*, Children's Online Privacy Protection Act, 15 U.S.C. §§ 6501-6506; Protecting Americans Data from Foreign Adversaries Act, 15 U.S.C. § 9901; Identify Theft and Assumption Deterrence Act, 18 U.S.C. § 1028; Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g; Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. § 1320d-2; 45 CFR Parts 160 and 164 (HIPAA Privacy Rule); Health Information Technology for Economic and Clinical Health (HITECH) Act, 42 U.S.C. § 300jj *et seq.*, § 17901 *et seq.*

<sup>30</sup> Leanna Faulk, *Fall River Seniors Lose Life Savings in Gift Card Scam; Daughter Asks for Help* (Nov. 26, 2025), <https://turnto10.com/news/local/fall-river-seniors-lose-life-savings-gift-card-scam-daughter-asks-help-raise-money-cash-bank-account-november-25-2025>; Ernestas Naprys, *The Number of Seniors Losing Life Savings to Impersonation Fraudsters has Quadrupled* (Aug. 9, 2025), <https://cybernews.com/security/elder-fraud-losses-surge-ftc-warns/> (*Impersonation Fraud Quadrupled*); Coby Stanger, *Jamaican Lottery Scammers Gained Skills in Call Centers* (Oct. 13, 2015), <https://www.consumerreports.org/cro/money/jamaican-lottery-scam-has-roots-in-us-industry> (*Jamaican Lottery Scammers*).

<sup>31</sup> Margot Saunders, *Scam Robocalls: Telecom Providers Profit*, at 8-9 (June 1, 2022), <https://www.nclc.org/resources/scam-robocalls-telecom-providers-profit>.

<sup>32</sup> Federal Trade Commission, *False alarm, real scam: how scammers are stealing older adults' life savings* (Aug. 7, 2025), <https://www.ftc.gov/news-events/data-visualizations/data-spotlight/2025/08/false-alarm-real-scam-how-scammers-are-stealing-older-adults-life-savings>.

<sup>33</sup> *Id.* at n.4; *Impersonation Fraud Quadrupled*.

<sup>34</sup> Federal Trade Commission, *Top Scams of 2024* (Mar. 10, 2025), <https://consumer.ftc.gov/consumer-alerts/2025/03/top-scams-2024>. *See also* *Fraudsters Quadrupled* ("Most scams still depend on a phone call . . ."). Compare BeenVerified Team, *More Than 70% of Americans Report More Phone Scam Messages in 2023* (Nov. 28, 2023), <https://www.beenverified.com/data-analysis/phone-scam-statistics/> (user survey indicated that "[p]hone calls were by far the most common approach used by fraudsters . . .").

16. Many scam calls made to U.S. consumers originate from foreign countries<sup>35</sup> in part because scammers can evade United States authorities and their host country might not seek to bring them to justice vigorously.<sup>36</sup> Foreign scam callers often use personal information about the targeted victim, which can be obtained from data brokers, identity theft, Google Earth, websites that contain biographical information, or other methods, as part of the scam.<sup>37</sup> Their co-conspirators in the United States also might use personal information to collect, launder, and send funds to the foreign mastermind of the scam operation, sometimes using the stolen identity of an innocent and unaware American.<sup>38</sup>

17. Incredibly, some of the foreign scammers who make scam calls to the United States have trained in foreign call centers that made and answered calls legitimately on behalf of businesses from the United States and Canada. Insider knowledge and training in the marketing and customer service practices of legitimate businesses helped make the scammers more convincing and therefore more effective in scamming Americans.<sup>39</sup>

18. *How Foreign-Originated Calls Enter the U.S.* Calls from foreign countries, both lawful and unlawful, generally enter the United States through international gateway providers on IP networks. The Commission, in conjunction with the Industry Traceback Group (ITG), can trace calls back to the point where they entered the United States.<sup>40</sup> The Commission, in certain circumstances, can require gateway providers to block those calls.<sup>41</sup> If a gateway provider does not, the Commission may permit or require other providers immediately downstream from the gateway provider to block all calls transiting that provider's gateway, effectively cutting off that gateway from the rest of the United States telecom network.<sup>42</sup> The Commission also can remove the provider's certification from the Robocall Mitigation

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<sup>35</sup> See, e.g., *Sumco Panama SA, Sumco Panama USA, Virtual Telecom kft, Virtual Telecom Inc., Davis Telecom Inc., Geist Telecom LLC, Fugle Telecom LLC, Tech Direct LLC, Mobi Telecom LLC, and Posting Express Inc.*, Forfeiture Order, 38 FCC Rcd 7235 (2023) (scammers used foreign shell companies and foreign call centers to evade law enforcement and civil lawsuits); *Where Criminal Robocalls Come From; Scam Call Origins*.

<sup>36</sup> See, e.g., *Sumco Panama SA, Sumco Panama USA, Virtual Telecom kft, Virtual Telecom Inc., Davis Telecom Inc., Geist Telecom LLC, Fugle Telecom LLC, Tech Direct LLC, Mobi Telecom LLC, and Posting Express Inc.*, Forfeiture Order, 38 FCC Rcd 7235 (2023) (scammers used foreign shell companies and foreign call centers to evade law enforcement and civil lawsuits); Feliz Solomon, *The Slaves Sending You Scam Texts* (Jul. 29, 2024), <https://www.wsj.com/podcasts/the-journal/the-slaves-sending-you-scam-texts/41be5b94-4770-40bf-b7e8-86e6bd6c7c09>; *Scam Call Origins*. In some cases, foreign laws might require businesses and individuals to assist in espionage efforts of their home country, both inside the home country and abroad in other countries. See, e.g., *China National Security Laws; China Data Collection*.

<sup>37</sup> Press Release, United States Attorney's Office Northern District of Georgia, Multiple India-based Call Centers and Their Directors Indicted for Perpetuating Phone Scams Affecting Thousands of Americans (Feb. 3, 2022), <https://www.justice.gov/usao-ndga/pr/multiple-india-based-call-centers-and-their-directors-indicted-perpetuating-phone-scams>; Press Release, United States Attorney's Office Southern District of Texas, 24 Sentenced in Multimillion Dollar India-Based Call Center Scam Targeting U.S. Victims (Jul. 20, 2018), <https://www.justice.gov/usao-sdtx/pr/24-sentenced-multimillion-dollar-india-based-call-center-scam-targeting-us-victims> (*India-Based Call Center Scam*); *Jamaican Lottery Scammers* (scammers used Google Earth to learn color of a target victim's car and distance from victim's home to financial institution).

<sup>38</sup> *Jamaican Lottery Scammers; India-Based Call Center Scam*.

<sup>39</sup> *Jamaican Lottery Scammers*.

<sup>40</sup> The ITG is the registered industry consortium selected pursuant to the TRACED Act to conduct tracebacks. See Implementing Section 13(d) of the Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act (TRACED Act), EB Docket No. 20-22, Report and Order, 38 FCC Rcd 7561, 7561, para. 1 (2023).

<sup>41</sup> 47 CFR § 64.1200(n)(2).

<sup>42</sup> 47 CFR § 64.1200(k)(4), (n)(3), (n)(5). See also, e.g., Letter from Patrick Webre, Chief, Enforcement Bureau, to SK Teleco, LLC (Dec. 2, 2025) (SK Teleco Letter); *FCC Enforcement Bureau Warns All U.S.-Based Voice Service*

Database (RMD), which requires all other providers to cease accepting traffic directly from the removed provider, or pursue other enforcement action, such as issuing monetary forfeitures.<sup>43</sup> Still, many gateway providers pursue the economic benefits of facilitating scam or other unlawful calls.

19. *Legislative and Other Government Actions.* Members of Congress have introduced bills to address concerns with foreign-based call centers. The bi-partisan Keep Call Centers In America Act of 2025 would require businesses to ensure that customer service agents disclose their location at the beginning of each customer service call and, upon consumer request, transfer a call from a foreign call center to a call center located within the United States.<sup>44</sup> The proposed legislation similarly would require a call center to disclose when a consumer is communicating with artificial intelligence (AI) and upon consumer request, to transfer the call to a human, who must be located within the United States. Finally, it would limit the eligibility of businesses that move call centers to foreign countries to receive government grants and guaranteed loans.

20. The House version of the Foreign Robocall Elimination Act,<sup>45</sup> if enacted, would require RMD filers to post a bond of up to \$100,000 in certain circumstances. Specifically, it would direct the Commission to require bonds from filers except those that “present[] indicia of being a bona fide, established communications service provider, such that requiring the provider to post a bond . . . would impose unnecessary burdens without materially improving enforcement” of laws regarding robocalls.<sup>46</sup>

21. And the Department of Justice (DOJ) recently moved to protect data transactions involving government-related data or bulk U.S. sensitive personal data where such transactions present an unacceptable risk to U.S. national security.<sup>47</sup> The DOJ noted how journalists and researchers obtained and combined information about individuals, including mobile phone information, to develop detailed profiles about the individuals using methods that appear to be similar to those used by scammers to develop profiles of potential victims.<sup>48</sup> It further explained how such information could be used to undermine U.S. national security, such as by blackmailing government employees and officials.<sup>49</sup> Such concerns might be exacerbated by laws that require foreign businesses and nationals, including those

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*Providers to Avoid or Cease Carriage of Auto Warranty Robocall Traffic from Cox/Jones/Sumco Panama Operation*, Order, 37 FCC Rcd 8654 (EB 2022).

<sup>43</sup> 47 CFR § 64.6305(g); *see, e.g.*, SK Teleco Letter at 7-9 (discussing rules and process for removal from RMD); *Sumco Panama SA, Sumco Panama USA, Virtual Telecom kft, Virtual Telecom Inc., Davis Telecom Inc., Geist Telecom LLC, Fugle Telecom LLC, Tech Direct LLC, Mobi Telecom LLC, and Posting Express Inc.*, Forfeiture Order, 38 FCC Rcd 7235, 7236, paras. 1-2 (2023) (assessing a nearly \$300 million forfeiture for an enterprise that originated billions of auto warranty calls); *Call Authentication Trust Anchor*, WC Docket No. 17-97, Second Report and Order, 36 FCC Rcd 1859, 1903, para. 83 (2020) (*Second Call Authentication Order*).

<sup>44</sup> Keep Call Centers in America Act of 2025, S.2495, 119<sup>th</sup> Congress (2025), <https://www.congress.gov/bill/119th-congress/senate-bill/2495/text/is>.

<sup>45</sup> Foreign Robocall Elimination Act, H.R. 6152, 119<sup>th</sup> Congress (2025), <https://www.congress.gov/119/bills/hr6152/BILLS-119hr6152ih.pdf>; Foreign Robocall Elimination Act, S. 2666, 119<sup>th</sup> Congress (2025), <https://www.congress.gov/119/bills/s2666/BILLS-119s2666is.pdf>.

<sup>46</sup> Foreign Robocall Elimination Act, H.R. 6152, § 4. The bill enumerates factors the Commission would have to consider in implementation.

<sup>47</sup> Department of Justice, Preventing Access to U.S. Sensitive Personal Data and Government-Related Data by Countries of Concern or Covered Persons, 90 Fed. Reg. 1636 (Jan. 8, 2025) (corrected 90 Fed. Reg. 16466 (Apr. 18, 2025)) (DOJ Data Final Rule).

<sup>48</sup> *Id.* at 1637-8.

<sup>49</sup> *Id.* at 1638.

abroad, to gather information for their home country.<sup>50</sup> Making sensitive personal information about Americans available in foreign countries potentially increases access to such information – including by persons compelled by laws to access and transfer it to their government and those who would sell it to criminals – for many malign purposes, not just scam calls.<sup>51</sup>

### III. DISCUSSION

22. In this NPRM, we seek comment on actions that would encourage and facilitate the onshoring of foreign call centers. Specifically, we propose rules and otherwise explore ways to improve customer service communications and better protect consumers' sensitive personal information by limiting use of foreign call centers and by improving standards applicable to a company's remaining foreign call center operations. We also seek comment on extending these protections to modes of customer service communications other than calls, such as emails, texts, and on-line chats, and on ideas to deter scam and other unlawful calls made to the United States from foreign countries. Finally, we explore steps we can take to financially deter foreign-originated calls, such as bond requirements, building on our recent *Call Branding NPRM*, which sought comment on other ways to identify and stop such calls.<sup>52</sup>

23. We propose to apply these requirements to providers of telecommunications services, CMRS, interconnected VoIP service, cable television service, and DBS services, or affiliates of such providers.<sup>53</sup> Where we seek comment on applying the proposed rules to providers of other services, the term "providers" includes providers of those services as well. We also propose to apply these requirements to the use of foreign call centers for consumer communications relating to Internet access service offered by any of the foregoing providers or their affiliates. We seek comment on this proposal and whether we should extend some or all of the proposed rules to providers of other types of services.

#### A. Protecting American Consumers

##### 1. Ensuring Quality Customer Service

24. Consumers often are not satisfied with the customer service they receive from providers that have moved their customer service operations to offshore call centers. We seek comment on measures to address problems with foreign call centers that would apply to inbound calls, in addition to outbound calls where we traditionally have focused our consumer protection efforts. Inbound calls easily can become outbound calls, such as when a consumer's call is answered initially by an Interactive Voice Response (IVR) system that allows the consumer to choose to have the IVR system hold the consumer's place in line and call the consumer back. And problems, such as communication barriers and protection of sensitive consumer information, exist regardless of whether a consumer calls the provider or the provider calls a consumer.

25. *Establishing English Proficiency Standards.* We propose to require providers who use offshore call centers to ensure that all calling staff at those call centers are proficient in both written and spoken American Standard English. We believe that clear communication and mutual understanding is critical to the customer service experience. The ability of both the consumer and the customer service agent to understand one another while discussing consumer concerns is vital to providing meaningful

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<sup>50</sup> China has such laws. See, e.g., *China National Security Laws; China Data Collection*. A foreign national subject to such laws and working in a foreign call center, whether in the home country or elsewhere in the world, could be coerced into accessing Americans' sensitive personal information and reporting it back to the foreign government.

<sup>51</sup> The DOJ noted that a black market exists where Chinese insiders sell their access to sensitive personal information to on-line buyers who then make that information available publicly. DOJ Data Final Rule, 90 Fed. Reg. at 1638. As noted above, a provider's foreign call center staff used their access to consumer information to obtain and sell that information for criminal purposes.

<sup>52</sup> *Call Branding NPRM* at paras. 70-88.

<sup>53</sup> Throughout this NPRM, we use "affiliate" to mean any entity that provides Internet access service and meets the definition of "affiliate" in 47 U.S.C. § 153(2).

customer service. Consumers often have complex problems that require American Standard English proficiency to understand and resolve. And technical understanding of English often is not enough – so much of communication is tone, idioms, and appreciation of the speaker’s culture. The Commission receives numerous consumer complaints that cite a lack of clear and productive communication with foreign call center staff as a reason why their concern was not resolved.<sup>54</sup>

26. A number of federal regulations contain English proficiency requirements.<sup>55</sup> To implement the Telecommunications Relay Services (TRS) program, the Commission itself has adopted operational standards that require language skills. Communications Assistants (CAs) who handle TRS calls must have specific competencies in communicating with people with and without such disabilities. Specifically, CAs must have competent skills in typing, grammar, spelling, American Sign Language (ASL), and familiarity with hearing and speech disability cultures, languages, and etiquette, and must possess clear and articulate voice communications.<sup>56</sup> In short, Communications Assistants must understand the culture and etiquette of consumers and must be proficient in reading, writing, speaking, listening, and signing the languages necessary to do their jobs effectively. While maintaining these standards for Communications Assistants, the Commission has gone further, promoting the use of direct video connections to enhance communication between ASL-using consumers with speech and hearing disabilities and customer service call centers.<sup>57</sup> The regulations governing the direct video and TRS programs reflect the Commission’s recognition that communication is clearest when it occurs directly between people with a shared language and common regional and cultural background, and that, absent such direct communication between individuals with a shared language and culture, standards and required competencies are essential to ensure effective communication.

27. We seek comment on our proposal. Would American Standard English proficiency requirements, including requirements to understand tone, idioms, and culture, promote better customer satisfaction and problem resolution? What steps do providers currently take to ensure the proficiency of their representatives? How do providers currently monitor for both efficient communication during customer service interactions and customer satisfaction? Beyond language proficiency, are there other

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<sup>54</sup> See, e.g., Complaint 8112683 (“Every Call With ATT That I Have Made Has Been With A Foreign Person Who Has A Horrible Language Barrier & Also Who Does Not Comprehend English Well.”); Complaint 8302878 (“Significant Language Barrier Problems With Customer Service”); Complaint 8358971 (“Brightspeed’s Agents You Talk To On The Phone Are Just People In A Foreign Call Center Reading From A Script. They Are No Real Help At All.”).

<sup>55</sup> See, e.g., 49 CFR § 391.11(b)(2) (requiring that commercial motor vehicle drivers be able to “read and speak the English language sufficiently to converse with the general public, to understand highway traffic signs and signals in the English language, to respond to official inquiries, and to make entries on reports and records”); see also Memorandum of Philip W. Thomas, Deputy Associate Administrator for Safety, Federal Motor Carrier Safety Administration (FMCSA), *English Language Proficiency Under 49 CFR § 391.11(b)(2)* (May 20, 2025), [https://www.fmcsa.dot.gov/sites/fmcsa.dot.gov/files/2025-05/FMCSA%20ELP%20Guidance%20with%20Attachments%20Final%20%285-20-2025%29\\_Redacted.pdf](https://www.fmcsa.dot.gov/sites/fmcsa.dot.gov/files/2025-05/FMCSA%20ELP%20Guidance%20with%20Attachments%20Final%20%285-20-2025%29_Redacted.pdf) (strengthening enforcement of 49 CFR § 391.11(b)(2)); FAA English Language Standard for an FAA Certificate Issued Under 14 CFR Parts 61, 63, 65, and 107, Advisory Circular No. 60-288, Federal Aviation Administration (Jun. 2, 2017) (discussing rules requiring a wide range of persons involved in aviation to be able to read, write, speak, and understand English and requirements regarding accents, intonation, and other parameters of spoken English by non-native speakers), [https://www.faa.gov/documentlibrary/media/advisory\\_circular/ac\\_60-28b.pdf](https://www.faa.gov/documentlibrary/media/advisory_circular/ac_60-28b.pdf).

<sup>56</sup> 47 CFR § 64.604(a)(1)(ii), (iv).

<sup>57</sup> *Structure and Practices of the Video Relay Service Program; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket Nos. 10-51, 03-123, Report and Order and Further Notice of Proposed Rulemaking, 34 FCC Rcd 3396, 3403, para. 11 (2019). The direct communication between two native sign language users, with ASL’s vocabulary and structure, as well as unfiltered communication of visual cues, helps ensure direct, visual, and reciprocal communication for consumers who sign. See *Direct Video Calling Can Enhance Accessibility of Consumer Call Centers*, CG Docket Nos. 03-123, 10-51, Public Notice, 39 FCC Rcd 13628 (2026).

barriers that providers can mitigate to ensure higher quality customer service and consumer satisfaction?

28. If we were to adopt such requirements, what criteria should we use to assess compliance, and should the criteria apply to each individual call center employee, or to, e.g., the average test score for a call center? For example, should we require providers to ensure that call center staff pass a test? If so, what type of test? We note that a range of tests is available.<sup>58</sup> Some appear to be targeted at specific areas. For example, and as mentioned above, the OET is tailored for the medical field, the TOEFL is widely used in higher education, and the TOEIC is business- and workplace-oriented.<sup>59</sup> Many of the available tests appear to evaluate listening, speaking, reading, and writing. Are these good tests for our purposes? Do they go beyond just words to test an understanding of culture, for example? Do they include tests of listening, speaking, reading, and writing, or just of some of these facets of English proficiency? Do any of these tests focus on the cultural and idiomatic nuances of American Standard English? Are there other tests that providers currently are using to assess customer care representative proficiency in American Standard English? Do representatives need to write in English in order to document a summary of the call in a consumer's account records or for other purposes?

29. Do providers already test the English proficiency of foreign call center staff? If so, how? Do providers rely on the foreign call centers with which they contract to test or otherwise evaluate the English proficiency of call center staff rather than performing the evaluation themselves? What recourse is available to a provider if a provider receives consumer complaints or otherwise learns that particular staff in a foreign call center are not communicating well with consumers?

30. Finally, we seek comment on how to address foreign call centers used for communication with non-English speaking U.S. customers. For example, a business might contract with a foreign call center to communicate with its U.S.-based, Spanish-speaking customer base. What American Standard English or other language proficiency standards, if any, should we require for such call centers? Are staff at these call centers required to be bilingual and do they typically take calls in English as well as non-English languages? Do providers have dedicated call centers where representatives only communicate with non-English-speaking customers? Even where call center staff speak with consumers in a language other than English, we believe that staff will need to be proficient in English. For example, we believe that customer account records generally are maintained in English and that scripts and other materials used by call center staff could be written in English. We seek comment on this belief.

31. *Promoting U.S.-Based Customer Service.* We propose to limit the percentage of customer service calls that providers may make from or answer at foreign call centers to a specified percentage (excluding any calls that would be subject to any rule we adopt requiring certain types of calls to be handled only at call centers located within the United States).<sup>60</sup> We seek comment on this proposal. Would such a limit effectively address at least some of the concerns associated with foreign call centers, such as customer satisfaction? We believe that such a cap would encourage movement of call center operations back to the U.S. and thus best address our communication and data privacy concerns. We recognize, though, that those changes could come with costs to communications service providers and thus believe this type of cap would help strike a balance between achieving our goals while not imposing undue costs on these companies. Accordingly, we also seek comment on whether we should increase such a cap over time. Are there other concerns that we should consider or other reasons to adopt such an approach? For example, are there other benefits, including to U.S. jobs and the economy, from limiting the percentage of calls to or from their service providers that are handled by foreign call centers?

32. We seek comment on the total volume of calls providers currently handle (i.e., make from and receive at) in their call centers globally, including both in-house call centers, i.e. those they operate themselves, and those with which they contract. What volume of calls is handled at call centers

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<sup>58</sup> See, e.g., *English Certification Guide*.

<sup>59</sup> OET; TOEIC; TOEFL.

<sup>60</sup> See *infra* Part III.A.4.

located within the U.S. and what volume is handled in foreign countries? What volume of calls is transferred from a foreign call center to a call center located within the U.S. and vice versa? What volume of calls is transferred from a foreign call center to a call center located within the U.S. at the request of the customer? Which providers have a policy of transferring calls from a foreign call center to a call center in the U.S.?<sup>61</sup> If a provider has such a policy, does it disclose the policy at the beginning of each call so that the consumer can request to have the call transferred before discussing the issue that prompted the call?<sup>62</sup>

33. What percentage would best advance the goal of improving customer satisfaction? For example, would a 30% limit be appropriate? And how should we apply such a metric? For example, if we were to set the limit at 30%, should we allow only 30% of outbound calls to be made from a foreign call center and allow only 30% of inbound calls to be answered at a foreign call center? Or should we assess the percentage across both inbound and outbound calls, as long as the combined percentage for all calls is no greater than 30%? Over what period of time should compliance be measured? For example, should the percentage limit apply annually, quarterly, monthly, or daily?

34. How should calls subject to the percentage limitation be defined? Should only calls to or from existing customers who already purchase service from the provider be counted? Should the limitation apply, for example, to all calls made to the provider's customer service number or other contact numbers? If a provider has multiple numbers, such as one for general customer service calls, one for sales, and one for customer billing issues, should the limitation apply to all calls made to any of its consumer-facing numbers, or should it apply separately to each of these types of call? Are there particular types of consumer calls where a representative's level of American Standard English proficiency might have a greater impact on ensuring resolution of the issue or customer satisfaction? If so, which types of calls and how should this be factored into establishing a metric?

35. Finally, do we need to take steps to ensure that providers have sufficient capacity in call centers in the United States to handle the required volume of calls? What should those steps be? Should we phase in this requirement in order to give providers time to transition their call center operations? If so, over what period of time should we require providers to transition their operations? What obstacles will providers face in transitioning their call center operations to comply with this limitation? Are there any considerations that uniquely affect smaller providers or those serving rural areas? If so, how should our rules take those considerations into account?

36. *Scope of Covered Calls.* In the preceding paragraphs, we seek comment on how to identify and count calls for our proposal to limit the percentage of calls that may be made from or answered at a foreign call center. We now seek comment on how should we define the calls subject to these proposals in general? Should we include only calls to and from a provider's existing customers, such as those regarding service, billing, or account management? Should we include calls related to debt collection, win-back campaigns, or other retention efforts?

37. Are there categories of calls that should be excluded from these requirements? Should we include calls to or from prospective customers, such as sales or marketing calls? Should the proposals apply to all calls made to consumer-facing numbers a provider uses, such as those for general customer service, billing, or sales? Commenters should address the implications of including or excluding these types of calls, including how it would affect consumer privacy and data security, and how providers could identify and distinguish covered calls from non-covered calls for purposes of complying with the rules.

## **2. Safeguarding Consumer Choice**

38. *Requiring Disclosure of Foreign Call Center Use.* We propose to require providers,

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<sup>61</sup> In response to consumer dissatisfaction with foreign call centers, some U.S. businesses voluntarily offer consumers the ability to transfer a call to a U.S.-based representative. *Call Centers Return to the U.S.*

<sup>62</sup> Commenters may seek confidential treatment of information in accordance with section 0.459 of the Commission's rules. 47 CFR § 0.459.

when making or receiving calls involving a foreign call center, to inform customers at the beginning of each call that it is being handled outside of the United States. We seek comment on this proposal.

39. We believe it is essential for consumers to know when calls from a provider originate overseas and when calls they make to a provider are answered at a foreign call center. If consumers know they are speaking with a foreign call center, they can take any precautions they believe necessary to address privacy risks—e.g., by refusing to disclose sensitive personal information, demanding satisfactory assurance that such information will be protected effectively, or requesting that the call be transferred to the United States, as discussed below. This also might help consumers identify companies that support American jobs. We seek comment on these beliefs.

40. If we adopt such a proposal, should we adopt specific text that providers must use in the disclosure? If so, what should that be? Should it differ for calls made from a foreign call center and those answered at or transferred to a foreign call center? Should the disclosure include the name of the country where the call center is located, or additional information? For example, the text of a disclosure might be “This call is being [answered in or made from] [insert name of country]. You have the right to have this call transferred to a representative located in the United States. Do you want to have the call transferred to a U.S.-based representative?” We seek comment on whether providers should be required to make this or an alternative disclosure. Should disclosure be required before an in-progress call is transferred from a domestic call center to a foreign call center? We also seek comment on any First Amendment considerations relevant to our disclosure proposals, consistent with past practice for disclosure requirements.<sup>63</sup>

41. *Establishing a Consumer Right to Transfer to Call Centers in the United States.* We propose to require providers, upon consumer request, to transfer calls to a call center located within the United States. This would apply both to calls made from a foreign call center and to calls answered at a foreign call center. We further propose to require providers to ensure that consumers are transferred promptly following a transfer request and to ensure that wait times for transferred calls are no longer than those for calls that in the first instance are routed to a call center located within the United States.<sup>64</sup> We seek comment on this proposal.

42. We believe our proposal will empower consumers who wish to transact business or otherwise communicate with a provider via representatives located within the United States to do so.<sup>65</sup> Consumers might wish to communicate with provider representatives located within the United States for a variety of reasons, each of which improves customer service and satisfaction. These include reduced language barriers, better legal protections for and security of their sensitive personal information, and support for American jobs, among other things. We seek comment on this belief. Are there other

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<sup>63</sup> See, e.g., *Truth-in-Billing and Billing Format*, CC Docket No. 98-170, Report and Order and Further Notice of Proposed Rulemaking, 14 FCC Rcd 7492, 7530-33, paras. 60-64 (1999) (rejecting the suggestion that standardized labels would violate the First Amendment); *Empowering Consumers to Prevent and Detect Billing for Unauthorized Charges (“Cramming”), Consumer Information and Disclosure, Truth-in-Billing, and Billing Format*, CG Docket Nos. 11-116, 09-158, CC Docket No. 98-170, Report and Order and Further Notice of Proposed Rulemaking, 27 FCC Rcd 4436, 4482-84, paras. 129-35 (2012) (applying *Zauderer v. Office of Disciplinary Counsel*, 471 U.S. 626 (1985) (*Zauderer*) to cramming rules adopted there before going on to find that the rules also satisfy *Central Hudson Gas & Elec. Corp. v. Pub. Serv. Comm’n of New York*, 447 U.S. 557 (1980) (*Central Hudson*) to the extent that standard applied); *Restoring Internet Freedom Order*, 33 FCC Rcd at 448-50, paras. 235-38 (concluding that the Commission need not resolve whether *Zauderer* or *Central Hudson* applied because the transparency rule satisfied even the *Central Hudson* standard).

<sup>64</sup> The customer service standards for cable TV require cable operators to answer calls, including transferred calls, within 30 seconds. This standard applies under normal conditions and must be met 90% of the time as measured on a quarterly basis. 47 CFR § 76.309(C)(1)(ii).

<sup>65</sup> See, e.g., Complaint 7939515 (“I Do Not Like To Speak [to] Customer Service In Foreign Countries And The Foreigners Would Not Transfer My Call To The United States.”).

benefits, whether consumer, general societal, or economic, that are likely to result from this proposal?

43. Should we establish standards for how quickly a foreign call center must complete transfer of a call to a call center in the United States? If so, what standards should we adopt? For example, should we require that providers transfer the consumer to a call center in the United States within a certain number of seconds following the transfer request? How should we determine when a transfer is complete? For example, would transferring the call so that it rings to a call center in the United States be sufficient or only when a representative answers?<sup>66</sup> What if the call drops during transfer?

44. Finally, we believe providers should inform customers about such a right and thus propose to require it as part of the same disclosure we propose above. We seek comment on that proposal. If we were to adopt it, should we require the disclosure include information about wait times following transfer, a number to call a U.S.-based call center directly in the event the call gets dropped during transfer, or any other information?

45. We seek comment on any other factors that we should consider regarding the required disclosures when a call is handled at a foreign call center, the required response to requests that calls be transferred to a call center in the United States, and ensuring that wait times for transferred calls do not unduly burden a consumer's exercise of the right to transfer.

### 3. Ensuring Compliance

46. We propose to require providers to track and report to the Commission their compliance with any rules we adopt as a result of our proposals. Providers would report on the American Standard English proficiency of their foreign call center workers; the number or percentage of calls they first route to foreign call centers and U.S. call centers; the number or percentage of calls they transfer to a call center in the United States; associated wait times; and dropped calls, along with any other requirements we adopt in response to this NPRM. We seek comment on this proposal.

47. If we adopt our proposal, should we require monthly, quarterly, or annual reporting?<sup>67</sup> Why? Should we make such information public? If not, what factors would justify keeping the information from consumers and the public at large? How do those factors compare with the potential benefits of consumers having greater information, including information that enables comparisons, about providers' use of foreign call centers and other customer service metrics? Is there other information associated with these data that we should require providers to report? Should providers separate data by individual foreign call center or foreign country, or aggregate it for all foreign call centers? Is there any reason to separate information by individual call center in the United States? If we require reporting on American Standard English proficiency, what information should providers report? Should we require providers to report other information associated with English proficiency, e.g., complaints or transfer rates for individual foreign call centers or foreign call center staff members, or other metrics?

48. In what format should reports be made? Should electronic filing be required? If so, is there a particular format, such as an Excel spreadsheet, that should be used for the reports? Are there existing reports or forms that could be modified to include this information and that are sufficiently relevant to the subject matter that it makes sense to use them?

49. We seek comment on whether cable television providers should file their reports with their local franchising authorities as well as with the Commission and what roles the Commission and local franchising authorities should play in enforcing any rules we adopt as a result of this NPRM. Commenters should address how to achieve consistent enforcement across all providers that would be

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<sup>66</sup> See 47 CFR § 76.309(C)(1)(iii) (requiring wait time for transferred calls to be no longer than for direct-routed calls and measuring wait time as the time between the call being connected and being answered).

<sup>67</sup> While the customer service standards for cable TV currently contain answer time standards, the rules expressly do not require cable operators to acquire equipment or to perform surveys to measure compliance unless complaints indicate a "clear failure to comply". 47 CFR § 76.309(C)(1)(iii).

subject to these rules if the rules are enforced as to cable television providers by local franchising authorities.

50. We also seek comment on any other reporting, filing, or certification mechanisms for ensuring compliance with any rules we adopt as a result of this NPRM. In particular, we seek comment on whether providers who obtain numbering resources from the North American Plan Numbering Administrator (NANPA) should be required to certify their compliance as a condition of obtaining numbering resources. The Commission's rules already require interconnected VoIP providers, for example, to make certain certifications as a condition of obtaining numbering resources from NANPA.<sup>68</sup>

#### 4. Protecting Consumer Information and National Security

51. *Heightened Consumer Protection for Sensitive Transactions.* We propose to require that providers handle certain consumer transactions only at call centers located within the United States, regardless of the type of communications channel used to initiate the transaction. We propose that this requirement would apply to such phone transactions regardless of any rule we adopt that would allow a certain percentage of calls to be handled by foreign call centers such that calls that must be handled at call centers located within the United States would not be included in the percentage calculation. Criminal actors, as well as foreign adversaries, might find particular consumer information, e.g., passwords, multi-factor authentication information, and bank account or credit card information, uniquely useful for exploitation or attack. We thus believe that we should require providers to handle such sensitive customer data solely in U.S.-based call centers and seek comment on this proposal.

52. Are there other specific types of transactions that providers should handle only at call centers located within the United States? For example, requests to change or reset passwords or multi-factor authentication, or transactions that involve taking a consumer's bank account, credit card, or Social Security number? Do providers use different tools to protect sensitive customer information shared over non-call communications, such as on-line chat, texts, and/or electronic mail messages? Do providers send multi-factor security codes, account access codes, or password resets from foreign call centers? And do providers send them via humans or automated systems? Do providers communicate about other sensitive personal information via these methods? If so, what kinds? Are there other steps providers take to mitigate security risks when offshore representatives are supporting customer service interactions that require personal or financial account information? We seek comment on any other factors that we should consider regarding the required handling of certain types of transactions only at call centers in the United States.

53. We also seek comment on whether we should prohibit providers from making available for access at foreign call centers consumer information, e.g., passwords, multi-factor authentication information, and bank account or credit card information, that might be uniquely useful to bad actors. It is documented that foreign call center staff have accessed consumer information and sold it to criminals.<sup>69</sup> If we were to adopt such a prohibition, what information should be subject to it?

54. *Protecting Privacy and Safeguarding National Security.* Above we describe privacy and data protection concerns arising from foreign call centers, including examples of Commission regulatees failing to prevent abuse of consumer data by employees of foreign call centers, and DOJ's findings that poor control of that data is a national security concern.

55. In addition to our proposals above to require a cap on the fraction of calls providers may handle via foreign call centers and limit certain transactions to domestic call centers, we seek comment on other steps we can take to address our concerns. Should we, for example, prohibit providers from using

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<sup>68</sup> *Numbering Policies for Modern Communications et al.*, WC Docket Nos. 13-97 et al., Report and Order, 30 FCC Rcd 6839, 6849-50, 6878-80, paras. 24, 78-82 (2015) (*2015 Direct Access to Numbering Order*) (permitting interconnected VoIP providers to directly access numbering resources, but requiring them to confirm, among other things, that they "posses[s] the financial, managerial, and technical expertise to provide reliable service").

<sup>69</sup> See *AT&T Services, Inc.*

call centers in “foreign adversary” nations,<sup>70</sup> or in other countries that we have reason to believe would use information about U.S. citizens against those citizens or the country at large? Or would it be better to prescribe data protection standards for any country in which a provider wishes to operate a call center? If so, what type of standards should we adopt? Would a general standard such as “data security laws and practices at least as strong as the United States” suffice, or is that too vague? If too vague, what would be a more specific standard consistent with our goals? What types of data protection do providers currently use and could they provide a model for a required standard? In that vein, could we look to recent enforcement consent decrees as a model?<sup>71</sup>

## 5. Potential Further Steps

56. *Other Communications Channels.* Should we apply all of our proposed rules (i.e., not just those related to sensitive transactions, as discussed above) to non-voice communications such as on-line chat, texts, and/or electronic mail messages? Consumers regularly use on-line chat, texts, and email to communicate with providers. Do our concerns about American Standard English proficiency and data security apply to these forms of communication as well as calls? How frequently do providers communicate with consumers via text messages, electronic mail messages, or on-line chat using staff in foreign countries? How does that compare to similar communications sent from, read at, or responded to from locations within the United States? Are there other types of communications, such as video conferencing, to which we should consider applying the proposed rules?

57. *Other Communications Providers.* We seek comment on whether we should apply our proposals to “stand-alone”<sup>72</sup> providers of non-interconnected VoIP and other Internet-only providers, including providers that provide only stand-alone Internet access service, to the extent that we have legal authority to do so.<sup>73</sup> Are there any relevant differences between interconnected and non-interconnected VoIP regarding consumer experience with the use of foreign call centers for customer service and other communications, such that we should *not* apply the same rules to interconnected and non-interconnected VoIP, to the extent that we have legal authority to do so? Are there any such relevant differences between Internet access service provided by stand-alone providers versus Internet access provided by other entities offering Internet access alongside other services, such as telecommunications service providers and cable television service providers? If so, what are they? Are there any other providers or services to which these proposals or other requirements upon which we seek comment should apply?

58. *Establishing Standards and Procedures for Other Calls Originating From Outside of the United States.* We seek comment on whether and to what extent we should establish standards and/or procedures regulating certain foreign-originated calls and texts subject to the TCPA. Section 227(c) requires the Commission to prescribe methods and procedures for protecting residential telephone subscribers’ privacy rights to avoid receiving telephone solicitations to which they object.<sup>74</sup> Further,

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<sup>70</sup> As in other recent proposals, we define “foreign adversaries” for purposes of this proposal consistently with the definition in 15 CFR § 791.2 and the identification of foreign adversaries in 15 CFR § 791.4. *Protecting our Communications Networks by Promoting Transparency Regarding Foreign Adversary Control*, 40 FCC Rcd 3730 (2025).

<sup>71</sup> See *supra* note 23.

<sup>72</sup> As explained above, we intend that the proposed rules discussed above would apply, at a minimum, to communications with consumers relating to the provision of other communications services by providers of telecommunications service, CMRS, interconnected VoIP service, cable television service, and DBS, or affiliates of such providers, and Internet access services each provides. Where we seek comment on applying the proposed rules to providers of other services, the term “providers” includes providers of those services as well. See *supra* para. 23. By “stand-alone” provider we mean a provider of communication service who does not fit into any of these categories.

<sup>73</sup> See *infra* Part III.C.

<sup>74</sup> See 47 U.S.C. §§ 227(c) *et seq.*

Section 227(d) requires the Commission to establish technical and procedural standards for systems that transmit artificial or prerecorded voice messages via telephone.<sup>75</sup>

59. Should we extend some or all of our proposals to all calls covered by sections 227(c) and (d) that originate outside the United States, not just calls on behalf of the types of providers already discussed? We seek comment on whether section 227(c)'s aim to protect residential subscribers supports applying our above proposals to calls from foreign call centers. And does section 227(d)'s authority to establish technical standards for covered calls also give us such authority? For instance, should we require that foreign callers making telephone solicitations disclose that such calls and/or messages originate from outside of the United States? Should we establish American Standard English proficiency standards for telephone solicitations made by foreign callers? Should we require that foreign callers transmitting artificial or prerecorded voice messages disclose that such calls originate from outside of the United States and offer to transfer the call—then do so upon request—to a domestic call center? We seek comment on these questions, as well as any other proposals for protecting consumers from telephone solicitations and/or artificial and prerecorded voice messages made from outside of the United States.

## 6. Alternative Approaches

60. We seek comment on alternative approaches to our proposals above. Commenters should explain the alternative approach, how it addresses the problems we have described, and how it would be less burdensome, less costly, or more effective than our main proposals. Commenters should explain how the alternative improves customer service and better protects sensitive consumer data, and to whether it does so for all or just some providers or services. Commenters should provide real-world examples demonstrating the alternative's value.

### B. Increasing the Cost of Unlawful Calls Originating from Outside of the United States

61. Foreign scammers and their co-conspirators in the United States rob consumers of hundreds of millions of dollars each year, costing some their life savings.<sup>76</sup> There is an obvious need to take the profit out of these calls<sup>77</sup> and we seek comment on how to do so. Specifically, we seek comment on using tariffs or bond requirements as a way to make illegal calls expensive enough to deter them in the first place. Commenters should address policy considerations, international agreements, legal authority, the logistics of how a tariff or bond requirement could be structured, applied, and collected, and any other factors we should consider.

62. Under a tariff-based approach, how would calls subject to a tariff be identified, and how would the tariff be collected? Are there factors that make it easier or more difficult to apply a tariff to unlawful calls from a foreign country than to other goods or services that enter the United States? What are they and how are they different when applied to unlawful calls? What tariff rate or amount would be effective at reducing the quantity of unlawful calls entering the United States from foreign countries? Should the tariff depend on the type of call or caller? Would imposing a tariff raise trade-related complications for certain types of calls, such as IP-based calls? Alternatively, would it ease

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<sup>75</sup> See 47 U.S.C. § 227(d)(3). The Commission has determined that “the [Telephone Consumer Protection Act’s] restrictions on the use of ‘artificial or prerecorded voice’ encompass current AI technologies that resemble human voices and/or generate call content using a prerecorded voice.” *Implications of Artificial Intelligence Technologies on Protecting Consumers from Unwanted Robocalls and Robotexts*, Declaratory Ruling, 39 FCC Rcd 1783, 1784, para. 5 (2024) (*TCPA AI Declaratory Ruling*). Nothing in this NPRM is intended to revisit that determination or to seek comment on regulating the use of AI specifically. Any requirements adopted under the TCPA for artificial or prerecorded voice calls, however, would apply equally to all such calls, regardless of the specific technology used to make them.

<sup>76</sup> See, e.g., Federal Trade Commission, *Biennial Report to Congress Under the Do Not Call Registry Fee Extension Act of 2007* (Dec. 2025), [https://www.ftc.gov/system/files/ftc\\_gov/pdf/P034305-2025-DNC-Report-to-Congress.pdf](https://www.ftc.gov/system/files/ftc_gov/pdf/P034305-2025-DNC-Report-to-Congress.pdf) at 3 (*FTC Biennial Report*).

<sup>77</sup> See *FTC Biennial Report* at 3-7.

administrative and implementation burdens to tariff all commercial calls from foreign countries?

63. If the Commission were to adopt a bond-based approach, how should a requirement to post a bond apply here? For instance, the House version of the Foreign Robocall Elimination Act bill would require providers to post a bond to file in the RMD.<sup>78</sup> Should we adopt the same or similar approach here? Alternatively, should we require providers that are the subject of one or more traceback requests or whose filings were removed from the RMD as part of an enforcement action to post a bond. Should we instead require providers that accept “mass” voice and/or text traffic from international sources to post a bond? If so, how should we define “mass” voice or text traffic? Are there circumstances under which an existing filer should be required to post a bond in order for its certification to remain in the RMD? Providers that are required to post a bond might pass the cost of such a bond onto its foreign customers, thus potentially reducing the number of such calls.

64. How and under what circumstances would the bond be drawn upon? For example, could the bond be used to satisfy any future Commission enforcement action related to unlawful calls, other types of government enforcement actions, or civil liabilities? For example, if the Commission were to issue a forfeiture order against a provider, should the bond be used to satisfy the forfeiture amount after a successful recovery action under 47 U.S.C. § 504(a) such that the provider then would have to pay the balance, if any, through other means?

65. Alternatively, would it technically be feasible to establish a mechanism whereby some portion of the bond is drawn each time that a consumer reports receiving an unlawful robocall? How can we ensure that the bond draw down is consistent with constitutional due process and the requirements of the Act?<sup>79</sup> How would it work and who would manage the bond draw-down process? Which reports of unlawful robocalls would trigger a draw: those filed with the Commission, those filed with the Federal Trade Commission, those filed with state Attorney General offices? Should consumers instead be able to report unlawful calls directly from their device during the call and could those reports be used to trigger a bond draw down? Can device-based reporting be shared with the terminating provider? If so, would terminating providers seek the bond draw from the ultimate gateway provider or intermediate providers directly, or would terminating providers file reports with the entity administering the bonds on a periodic cadence?

66. Which provider’s bond would be drawn upon and how could that particular provider be identified, especially if a provider other than the terminating provider were deemed the one to pay? Should the entity administering the bond draws distinguish between unlawful and simply unwanted calls that are reported and how would it do so? Such a system might be prone to overuse, such as by aggrieved consumers who abuse the system by making numerous fraudulent reports in order to cause financial harm to their provider. Are safeguards from overuse needed? If so, what should the safeguards entail? Should providers be permitted to dispute draws? Who would hear those disputes and what evidence would be required? Who bears the burden of proof in such disputes? Should there be a threshold of reported unlawful robocalls at which a gateway provider would surrender the entire bond automatically? If so, what should the threshold be?

67. We seek comment on these possible approaches and on alternatives. Could they be

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<sup>78</sup> Foreign Robocall Elimination Act (House Version) § 4.

<sup>79</sup> See *Mathews v. Eldridge*, 424 U.S. 319, 329-35 (1976) (concluding that a single notice and opportunity to respond prior to revocation of social security benefits was sufficient to meet Fifth Amendment due process requirements and an evidentiary hearing was not required under the three-factor due process test); *id.* at 334-35 (“[O]ur prior decisions indicate that identification of the specific dictates of due process generally requires consideration of three distinct factors: First, the private interest that will be affected by the official action; second the risk of an erroneous deprivation of such interest through the procedures used, and the probable value, if any, of additional or substitute procedural safeguards; and finally, the Government’s interest, including the function involved and the fiscal and administrative burdens that the additional or substitute procedural requirement would entail.”). See also 47 U.S.C. §§ 503-504.

effective at stopping harmful calls? Should we apply a bond requirement to all foreign providers, to international gateway providers, or any other providers that transmit calls from foreign countries to the United States? How much should such a bond be? Should it vary by type or size of provider? Should a provider be required to deposit the full amount of the bond or be permitted to purchase a surety bond?<sup>80</sup> If we were to permit surety bonds, should we require them to comply with requirements similar to those in sections 25.165(a) and (b) of our rules?<sup>81</sup> What should happen if a bond were drawn upon? For example, how long should the provider have to replenish the bond or should the provider be prohibited from providing service until the bond is replenished? Who would administer a bond program and who would be the beneficiary? We seek comment on whether there are any statutory or other barriers to adopting and implementing a bond requirement. For example, should bonds be viewed as a type of “forfeiture penalty” or “forfeiture” under the Communications Act, and if so do sections 503 or 504 of the Act or mandate certain procedural requirements prior to the Commission collecting on a bond in certain circumstances?

68. We seek comment on alternative approaches to a bond requirement. Commenters should explain the alternative approach, including how it addresses the problems we have described, and how it would be more effective than the alternatives discussed herein. Are other countries successfully using bonds or shared liability models to reduce robocalls? If so, how are those regimes working?

### C. Legal Authority

69. We seek comment on our authority to adopt these proposals and on our authority regarding other actions on which we seek comment above.

#### 1. Authority to Adopt Regulations Concerning the Use of Foreign Customer Service Operations

70. We seek comment on our authority to adopt rules, such as those proposed above, governing the use of foreign customer service operations by providers of telecommunications service, CMRS, interconnected VoIP service, cable television service, and DBS, or affiliates of such providers, and Internet access services each provides, including pursuant to sections 4(i), 201, 202, 217, 222, 227, 251, 301, 303, 316, 332, 335, 631, and 632 of the Act.<sup>82</sup>

71. *Telecommunications Carriers.* We seek comment on the extent to which Section 201(b) of the Act provides authority for application of our proposed rules to telecommunications carriers’ communications with current or prospective customers. Section 201(b) provides that *all* practices of common carriers in connection with interstate or foreign communication service shall be just and reasonable, and provides broad authority to the Commission to “prescribe such rules and regulations as may be necessary in the public interest to carry out the provisions of this chapter.”<sup>83</sup> The Commission and the courts have broadly construed the term “practice” and the phrase “in connection with . . . communication service” to include a wide range of practices that directly implicate a carrier’s furnishing of communication services, including payment or non-payment of compensation to payphone owners, failure to follow Commission-ordered settlement practices, deceptive marketing, and the formation of

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<sup>80</sup> Surety bonds normally involve the bonded party paying a fraction of the bond amount to a surety company that, acting like an insurer, pays up to the bond amount in the event that the bonded party does not perform an obligation or fails to pay an amount due and owing. *See, e.g.*, Surety Bonds Direct, What is a Surety Bond, <https://www.suretybondsdirect.com/educate/what-is-surety-bond> (last visited Feb. 26, 2026).

<sup>81</sup> 47 CFR §§ 25.165(a)-(b) (surety bond requirements for space station licensees). If we adopted a bond requirement, we would follow applicable U.S. Treasury Regulations governing surety companies doing business with the government. *See e.g.*, 31 CFR § 223 — Surety Companies Doing Business with the United States.

<sup>82</sup> *See, e.g.*, 47 U.S.C. §§ 154(i), 201(b), 202(a), 217, 222(a), (c), 227, 251(e), 301, 303(b), (v), 332(c)(1), 335(a), 551(c), 552(b).

<sup>83</sup> 47 U.S.C. § 201(b).

exclusive contracts with commercial building owners.<sup>84</sup>

72. Do a carrier's practices in communicating with its own customers and prospective customers on the matters commonly handled by consumer call centers—such as billing, service outages, service quality, account management, and marketing, including answering customers' calls in a timely fashion, communicating effectively in American Standard English, ensuring customer service representatives are equipped to resolve service issues, and safeguarding customers' personal information likewise bear directly on the provision of customer service fall within our section 201(b) authority? In addition, does the widespread perception that the customer service practices of foreign call centers are frequently unreasonable in these respects provide a basis under section 201(b) to require disclosure of foreign call handling and the transfer of calls to the United States upon request, as well as the other proposed requirements discussed above? Does our authority under section 201(b) include the authority to protect customer privacy regarding sensitive customer data that may not fall within the specific definition of CPNI under section 222 of the Act—e.g., by handling such phone transactions only at call centers located within the United States.<sup>85</sup>

73. Section 222 grants the Commission specific authority to adopt regulations to ensure that carriers “protect the confidentiality of proprietary information of, and relating to . . . customers,”<sup>86</sup> including customer proprietary network information (CPNI),<sup>87</sup> which is defined as:

(A) information that relates to the quantity, technical configuration, type, destination, location, and amount of use of a telecommunications service subscribed to by any customer of a telecommunications carrier, and that is made available to the carrier by the customer solely by virtue of the carrier-customer relationship; and (B) information contained in the bills pertaining to telephone exchange service or telephone toll service received by a customer of a carrier; except that such term does not include subscriber list information.<sup>88</sup>

Does section 222 provide authority for our proposals to promote U.S.-based customer service, to require heightened protection of sensitive transactions, to allow customers to request U.S.-based customer-support representatives, and other regulations discussed above would help protect sensitive customer information, including CPNI of telecommunications carriers' customers?

74. Does section 251(e) of the Act provide additional authority to adopt the rules proposed herein? Section 251(e) grants the Commission exclusive jurisdiction over those portions of the North American Numbering Plan that pertain to the United States and directs the Commission to create or designate an impartial entity to administer telecommunications numbering and to make such numbers available on an equitable basis.<sup>89</sup>

75. *CMRS Providers*. Pursuant to section 332 of the Act, our Title II authority applies to providers of CMRS as well as to wireline telecommunications carriers providing interstate and foreign

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<sup>84</sup> *Global Crossing Telecommunications, Inc. v. Metrophones Telecommunications, Inc.*, 550 U.S. 45, 53-54 (2007).

<sup>85</sup> See *Ohio Telecom Ass'n v. FCC*, 150 F.4th 694 (6th Cir. 2025) (ruling that, while section 222 does not authorize the Commission to make rules regarding data breaches involving personally identifiable information (PII) other than CPNI, section 201(b) does provide legal authority for the rules adopted by the Commission to protect such PII).

<sup>86</sup> 47 U.S.C. § 222(a).

<sup>87</sup> 47 U.S.C. § 222(c).

<sup>88</sup> 47 U.S.C. § 222(h)(1).

<sup>89</sup> 47 U.S.C. § 251(e)(1).

communications.<sup>90</sup> Does our Title II authority, as discussed above with regard to telecommunications carriers, extend to applying our proposals to CMRS providers? Furthermore, does our “broad authority” under Title III,<sup>91</sup> particularly the authority of the Commission to “[p]rescribe the nature of the service to be rendered by each class of licensed stations and each station within any class”<sup>92</sup> provide authority for our proposals regulating the customer-service practices of CMRS providers? We seek comment on the applicability of particular provisions of Title III, including but not limited to sections 301 and 316,<sup>93</sup> to authorize the Commission to impose such requirements.

76. *Interconnected VoIP Service Providers.* The Commission has previously found that it has authority to apply CPNI protections to interconnected VoIP service providers pursuant to section 222 of the Act and the Commission’s Title I ancillary jurisdiction.<sup>94</sup> The Commission found that interconnected VoIP services fall within the Commission’s subject matter jurisdiction under the Act.<sup>95</sup> The Commission also found that the application of CPNI rules to interconnected VoIP service is reasonably ancillary to the effective performance of the Commission’s Title II responsibilities, because: (1) interconnected VoIP service “is increasingly used to replace analog voice service” (a trend that continues to be the case); (2) it seems reasonable for American consumers to expect that their telephone calls are private irrespective of whether the calls are handled by a carrier or an interconnected VoIP provider; and (3) the CPNI of interconnected VoIP customers includes call detail information concerning all calling and called parties, including customers of telecommunications carriers and CMRS providers, so that, by protecting the CPNI of interconnected VoIP customers, the Commission will more effectively protect the privacy of carrier customers.<sup>96</sup>

77. Do these considerations equally support the exercise of ancillary jurisdiction in this rulemaking to protect the privacy of interconnected VoIP service customers and telecommunications service customers by including interconnected VOIP service providers within the scope of the rules proposed above to increase the use of U.S.-based call centers, to require that sensitive transactions be handled in such call centers, to require disclosure when foreign call centers are used, and to allow customers to request the transfer of calls to U.S.-based call centers? Are such requirements necessary to ensure compliance with the requirements of section 222 and the Commission’s implementing rules to protect the CPNI of customers of telecommunications and interconnected VoIP services, and thus

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<sup>90</sup> See 47 U.S.C. § 332(c)(1) (“A person engaged in the provision of a service that is a commercial mobile service shall, insofar as such person is so engaged, be treated as a common carrier for purposes of this chapter,” unless exempted by the Commission).

<sup>91</sup> *Cellco Partnership v. FCC*, 700 F.3d 534, 541 (D.C. Cir. 2012); see also *id.* at 542 (explaining that Title III provides the Commission with “expansive powers” and a “comprehensive mandate”) (quoting *NBC v. United States*, 319 U.S. 190, 219 (1943)).

<sup>92</sup> 47 U.S.C. § 303(b).

<sup>93</sup> 47 U.S.C. §§ 301, 316.

<sup>94</sup> *Implementation of the Telecommunications Act of 1996: Telecommunications Carriers’ Use of Customer Proprietary Network Information and Other Customer Information; IP-Enabled Services*, CC Docket No. 96-115, WC Docket No. 04-36, Report and Order and Further Notice of Proposed Rulemaking, 22 FCC Rcd 6927, 6954-57, paras. 54-59 (2007) (*CPNI Order*). Accordingly, the Commission “extend[ed] the application of the Commission’s CPNI rules to providers of interconnected VoIP service.” We note that, in 2008, Congress ratified the Commission’s decision to apply section 222’s requirements to interconnected VoIP by adding language to section 222 that expressly covers “IP-enabled voice service,” defined by reference to the Commission’s definition of “interconnected VoIP service.” See New and Emerging Technologies 911 Improvement Act of 2008, Pub. L. No. 110-283 (2008); 47 U.S.C. § 222(d)(4), (f)(1), (g) (applying provisions of section 222 to “IP-enabled voice service”); *id.* § 615b(8) (defining “IP-enabled voice service” as having “the meaning given the term ‘interconnected VoIP service’ by section 9.3 of the Federal Communications Commission’s regulations (47 CFR 9.3)”).

<sup>95</sup> *CPNI Order*, 22 FCC Rcd at 6956-57, para. 55.

<sup>96</sup> *Id.*, 22 FCC Rcd at 6957-58, paras. 56-58.

“necessary in the public interest to carry out” section 222 of the Act?<sup>97</sup>

78. Does section 251(e) give the Commission authority to condition interconnected VoIP service providers’ access to telephone numbers on those providers’ compliance with the requirements proposed above? The Commission previously exercised its authority under section 251(e) to ensure, for example, that an interconnected VoIP provider receiving direct access to numbers “possesses the financial, managerial, and technical expertise to provide reliable service.”<sup>98</sup> Will ensuring that interconnected VoIP providers, as well as telecommunications carriers, protect sensitive consumer data when conducting customer service calls from foreign call centers help to maintain competitive neutrality and ensure that consumers’ expectations are met regarding the privacy of their information when using the telephone network?<sup>99</sup>

79. *PII Protection.* Do we have authority, pursuant to the statutory provisions discussed above, to adopt rules to prevent foreign call centers operated by or on behalf of telecommunications carriers, CMRS providers, or VoIP service providers, from misusing customers’ personally identifiable information (PII) when handling customer service calls relating to internet access service provided by such carriers, CMRS providers, or VoIP service providers or their affiliates? We also seek comment on the applicability of the Sixth Circuit’s recent holding that section 201(b) of the Act, which requires that carrier practices “in connection with” a communication service shall be just and reasonable, independently authorizes the Commission to adopt data protection rules that may go beyond the specific requirements and scope of section 222 of the Act.<sup>100</sup>

80. *Cable Television Operators.* Section 632(b) of the Act expressly grants the Commission authority to “establish standards by which cable operators may fulfill their customer service requirements,” and provides further that “such standards shall include, at a minimum, requirements governing . . . service calls” and “communications between the cable operator and the subscriber.”<sup>101</sup> In 1993, the Commission adopted customer service requirements for cable operators regarding matters specified by Congress.<sup>102</sup> The Commission declined to adopt broader standards at that time, but reserved the right to revise and supplement the standards to ensure that customer service satisfaction is achieved nationwide.<sup>103</sup> Do the regulations proposed herein to safeguard customers’ personal information and to

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<sup>97</sup> 47 U.S.C. § 201(b).

<sup>98</sup> 47 CFR § 52.15(g)(3)(ii)(K); *see also* *Numbering Policies for Modern Communications et al.*, WC Docket Nos. 13-97 et al., Report and Order, 30 FCC Rcd 6839, 6849-50, 6878-80, paras. 24, 78-82 (2015) (*2015 Direct Access to Numbering Order*).

<sup>99</sup> *See, e.g., 2015 Direct Access to Numbering Order*, 30 FCC Rcd at 6850-51, 6852-53, paras. 25, 28 (citing competitive neutrality as a benefit of the Commission’s approach to providing interconnected VoIP providers direct access to numbers); *id.* at 6861, para. 47 (seeking to take account of customers’ expectations).

<sup>100</sup> *Ohio Telecom Ass’n, et al. v. FCC, et al.*, 150 F.4th 694 (6th Cir. 2025), *petition for rehearing en banc held in abeyance pending FCC review of the challenged order* (Oct. 7, 2025); *see also id.*, slip op. at 26 (given the exemption of carriers from the Federal Trade Commission’s authority, “[r]eading § 201(b) to regulate at least certain aspects of carriers’ data privacy practices . . . prevents the anomalous result of carriers falling into a regulatory gap in which there is little to no federal protection against carriers’ mishandling of customer PII” that does not meet the statutory definition of CPNI; *id.* (adding that “[t]o read the Communications Act as creating such a regulatory void would stand at odds with the federal protection of customer data applicable to virtually all other major businesses in the United States”).

<sup>101</sup> 47 U.S.C. § 552.

<sup>102</sup> *See Implementation of Section 8 of the Cable Television Consumer Protection Act and Competition Act of 1992 Consumer Protection and Customer Service*, 8 FCC Rcd 2892 (1993) (*Cable Operator Customer Service R&O*); *see* 47 CFR § 76.309.

<sup>103</sup> *Id.* at 2907, para. 69. *See also National Cable & Telecommunications Association and American Cable Association Petition for Declaratory Ruling*, MB Docket No. 16-126, Declaratory Ruling, 32 FCC Rcd 5269, 5273,

(continued....)

ensure customer service representatives are equipped to resolve service issues fall within the Commission’s authority to adopt “requirements governing . . . service calls” or “communications between the cable operator and the subscriber”?<sup>104</sup>

81. In addition, section 631(c) expressly provides that “a cable operator shall not disclose personally identifiable information concerning any subscriber” without prior consent and “shall take such actions as are necessary to prevent unauthorized access to such information by a person other than the subscriber or cable operator.”<sup>105</sup> We seek comment on whether this provision also supports rules addressing foreign call center use and related data protection measures in order to enhance the existing customer service protections. Does this legal authority extend to personally identifiable information regarding subscribers to internet access service offered by a cable operator? Section 631(a)(2)(c) defines “cable operator,” for purposes of section 631 (other than subsection (h)), to include “any person who (i) is owned or controlled by, or under common ownership or control with, a cable operator, and (ii) provides any wire or radio communications service.”<sup>106</sup> Accordingly, a “cable operator” for purposes of Section 631 is not limited to an entity that provides “cable service”; rather, it includes “any person” owned by a cable operator that provides “any wire or radio communications service.” We therefore seek comment on the extent to which a cable operator or its affiliate that provides Internet access is providing a “wire or radio communications service” and would qualify as a “cable operator” as defined in section 631(a)(2)(C). Section 631(c)(1) states that “a cable operator shall not disclose personally identifiable information concerning *any subscriber . . .*”<sup>107</sup> Does this mean that a cable operator for purposes of section 631(c) is an entity that provides “any *wire or radio communications service*” (not just cable) and, as such, cannot disclose the personally identifiable information of “any subscriber” (not just cable)? Do other provisions of section 631 further support such an interpretation?<sup>108</sup>

82. Does the Commission have authority to take direct enforcement action, should it choose to do so, to ensure that cable television operators comply with the proposed rules? Although enforcement of the Act’s cable television provisions generally is handled by local franchising authorities, the Commission has broad enforcement authority under the Act.<sup>109</sup> Is there anything in section 632 of the Act or its legislative history that precludes the Commission from enforcing its own standards?<sup>110</sup>

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para. 7 & n.26 (2017) (“Although it specifies certain topics that must be addressed in the Commission’s cable customer service rules, Section 632(b) states that the standards must address these topics ‘at a minimum,’ thereby giving the Commission broad authority to adopt consumer protections for cable subscribers.”).

<sup>104</sup> See *All-In Pricing for Cable and Satellite Television Service*, Report and Order, 39 FCC Rcd 3586, 3611-12, para. 39 (2024).

<sup>105</sup> 47 U.S.C. § 551(c)(1).

<sup>106</sup> 47 U.S.C. § 551(a)(2)(C).

<sup>107</sup> 47 U.S.C. § 551(c)(1) (emphasis added).

<sup>108</sup> See 47 U.S.C. § 551(c)(2)(A) (stating that a “cable operator” may disclose personally identifiable information if “necessary to render, or conduct a legitimate business activity related to, a cable service *or other service* provided by the cable operator to the subscriber”) (emphasis added); 47 U.S.C. § 551(a)(2)(B) (expressly defining “other service” to “include[] any wire or radio communications service provided using any of the facilities of a cable operator that are used in the provision of cable service”).

<sup>109</sup> See 47 U.S.C. § 151 (directing the Commission to “execute and enforce the provisions of [the Communications] Act”); 47 U.S.C. § 312(b) (authorizing the Commission to order persons to cease and desist from violating any provision of the Act or the Commission’s rules); 47 U.S.C. § 503 (authorizing the Commission to assess a forfeiture penalty for failure to comply with any of the provisions of the Act, or any rule, regulation, or order issued by the Commission under this Act).

<sup>110</sup> We note that the Enforcement Bureau, in 2016, entered into a consent decree with Comcast terminating an investigation into its compliance with sections 623(f) and 632(c) regarding the practice of charging cable subscribers

(continued....)

83. *DBS Providers.* Section 303(v) of the Act grants the Commission “exclusive jurisdiction to regulate the provision of direct-to-home satellite services,”<sup>111</sup> and Section 335(a) authorizes the Commission to impose “public interest or other requirements” for providing video programming.<sup>112</sup> Does this authority encompass customer service standards and related privacy practices? Would the regulations proposed herein serve the public interest by requiring DBS providers in “providing video programming” to safeguard customers’ personal information and to ensure customer service representatives are equipped to resolve service issues?<sup>113</sup> Do we also have authority under other provisions of Title III to adopt these rules for DBS providers, including sections 301, 303(b), 307, and 316?<sup>114</sup> Further, we seek comment on whether we have—and should exercise—ancillary authority under section 4(i) of the Act to extend our customer service requirements to DBS providers.<sup>115</sup> We also seek comment on whether there are alternative or additional statutes or arguments that provide a legal basis for our authority for the proposed requirements for DBS providers.

84. *Actions of Agents.* Do we have legal authority to hold covered service providers responsible for the actions of companies or organizations that operate foreign call centers on their behalf? We note that for common carriers and users of carrier services, section 217 of the Act expressly states:

In construing and enforcing the provisions of this chapter, the act, omission, or failure of any officer, agent, or other person acting for or employed by any common carrier or user, acting within the scope of his employment, shall in every case be also deemed to be the act, omission, or failure of such carrier or user as well as that of the person.<sup>116</sup>

The Commission has observed that “Congress’s clear intent in enacting section 217 was to ensure that common carriers not flout their statutory duties by delegating them to third parties.”<sup>117</sup> The Commission has stated further that a carrier’s liability for the conduct of agents or contractors extends to actions within the scope of their employment that are contrary to the carrier’s policies, for “[t]o hold that [s]ection 217 does not extend to independent contractors acting inconsistently with the carrier’s policy would create a loophole in the requirements of the Act and frustrate clear legislative intent.”<sup>118</sup> We seek comment on how these precedents inform the scope of our authority under section 217.

85. Further, the Commission has stated that “under long established principles of common

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for services and equipment that they did not affirmatively request. *See Comcast Corporation*, Order, 31 FCC Rcd 11431, 11431, para. 2 (2016).

<sup>111</sup> 47 U.S.C. § 303(v).

<sup>112</sup> 47 U.S.C. § 335(a).

<sup>113</sup> *See All-In Pricing for Cable and Satellite Television Service*, Report and Order, 39 FCC Rcd 3586, 3611-12, para. 39 (2024).

<sup>114</sup> *See Targeting and Eliminating Unlawful Text Messages*, Report and Order and Further Notice of Proposed Rulemaking, 2023 WL 2582658, para. 40 (2023) (noting the Commission’s authority under Sections 303(b), 307, and 316); *see also* 47 U.S.C. § 303(r).

<sup>115</sup> 47 U.S.C. § 154(i).

<sup>116</sup> 47 U.S.C. § 217.

<sup>117</sup> *Long Distance Direct, Inc.*, Memorandum Opinion and Order, 15 FCC Rcd 3297, 3300, para. 9 (2000).

<sup>118</sup> *Long Distance Consolidated Billing Co.*, Forfeiture Order, 34 FCC Rcd 1871, 1874-75, para. 10 (2019) (holding that a carrier was “not relieved of liability [for slamming] simply because it provided its telemarketers with a policy manual and sales script and directed its telemarketers to market its service “through lawful means”); *see also Vista Servs. Corp.*, 15 FCC Rcd 20646, 20649-50, para. 9 (2000) (observing that to hold that section 258 of the Act and the Commission’s slamming rules do not reach the conduct of contractors hired by a carrier would “frustrate legislative intent” and violate “long-established principles of common law holding statutory duties to be nondelegable”).

law, statutory duties are nondelegable and that employers are routinely held liable for breach of statutory duties by their independent contractors.”<sup>119</sup> Thus, the Commission has consistently found that “[l]icensees and other Commission regulatees are responsible for the acts and omissions of their employees and independent contractors.”<sup>120</sup> Do these precedents provide authority for our proposals, independently of our authority under section 217?

86. *National Security.* Do the national security risks raised by foreign call centers’ access to personal data of U.S. citizens provide a basis to adopt the rules proposed above? We note that a principal purpose of the Act is to provide for national defense.<sup>121</sup> In exercising its Title II and III authority to authorize the construction and transfer of telecommunications facilities and radio stations,<sup>122</sup> the Commission exercises special vigilance to prevent risks to national security, including risks arising from a company’s access to sensitive data.<sup>123</sup> Moreover, with respect to international telecommunications services, we have the right under the General Agreement on Trade in Services to enforce “the protection of the privacy of individuals in relation to the processing and dissemination of personal data and the protection of confidentially” and protect our citizens from “deceptive and unfair trade practices.”<sup>124</sup>

87. We seek comment on these potential sources of authority and on any additional sources of authority supporting the application of our proposed rules to the types of service providers described above. We also seek comment on our statutory authority to apply the proposed foreign call center customer service and information protection rules to other communications services offered to consumers, including non-interconnected VoIP, internet access services, and data services offered in conjunction with both CMRS, and direct broadcast satellite services. Further, we seek comment on how our rights under other trade agreements, including free trade agreements, might serve as authority for our proposed rules.<sup>125</sup>

88. *Authority Under the TCPA.* We also seek comment on our authority under the TCPA to adopt the proposed rules.<sup>126</sup> For example, section 227(c) expressly authorizes the Commission to adopt rules that “implement methods and procedures” to “protect residential telephone subscribers’ privacy

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<sup>119</sup> *Eure Family Limited Partnership*, Memorandum Opinion and Order, 17 FCC Rcd 21861, 21863-64, para. 7 (2002); *Vista Services Corporation*, 15 FCC Rcd 20646, 20650 (2000), citing Restatement [Second] of Torts § 409, comment b at 371 and *Alva Steamship Co., Ltd. v. City of New York*, 616 F.2d 605, 609 (2d Cir. 1980) (exception to the rule of nonliability for the negligence of independent contractor is “the negligence of an independent contractor who performs a duty imposed by statute on the employer”).

<sup>120</sup> *Eure Family Limited Partnership*, Memorandum Opinion and Order, 17 FCC Rcd 21861, 21863,-64, para. 7 (2002); *MTD, Inc.*, Memorandum Opinion and Order, 6 FCC Rcd 34 (1991) (holding that a company’s reliance on an independent contractor to construct a tower in compliance with FCC rules does not excuse that company from a forfeiture); *Wagenvoord Broadcasting Co.*, Memorandum Opinion and Order, 35 FCC 2d 361 (1972) (holding a licensee responsible for violations of FCC rules despite its reliance on a consulting engineer); *Petracom of Joplin, L.L.C.*, 19 FCC Rcd 6248 (EB 2004) (holding a licensee liable for its employee’s failure to conduct weekly EAS tests and to maintain the “issues/programs” list).

<sup>121</sup> 47 U.S.C. § 151.

<sup>122</sup> 47 U.S.C. §§ 214, 301, 303, 308(b), 312.

<sup>123</sup> See, e.g., *Marlink, Inc.*, File No.: EB-TCD-25-00038619, CD Acct. No.: 202632170001, FRN: 0008760456, Consent Decree, DA 26-25, para. 9 (Jan. 8, 2026).

<sup>124</sup> GATS: General Agreement on Trade in Services, Apr. 15, 1994, Marrakesh Agreement Establishing the World Trade Organization, Annex 1B, 1869 U.N.T.S. 183, 33 I.L.M. 1167 (1994).

<sup>125</sup> See, e.g., World Trade Organization, Services: Sector by Sector Telecommunication services, [https://www.wto.org/english/tratop\\_e/serv\\_e/telecom\\_e/telecom\\_e.htm](https://www.wto.org/english/tratop_e/serv_e/telecom_e/telecom_e.htm) (last visited Feb. 26, 2026); Office of the United States Trade Representative, Free Trade Agreements, <https://ustr.gov/trade-agreements/free-trade-agreements> (last visited Feb. 26, 2026).

<sup>126</sup> See 47 U.S.C. § 227(b)(2), (c).

rights to avoid receiving telephone solicitations to which they object.”<sup>127</sup> The Commission has adopted implementing rules, including the establishment of a database of residential subscribers objecting to telephone solicitations.<sup>128</sup> Would this provision authorize the Commission to adopt a rule that requires foreign callers making telephone solicitations to disclose and provide to the consumer an opportunity to specifically object to receiving such solicitations and messages from outside of the United States? Would it authorize the Commission to adopt American Standard English proficiency standards for telephone solicitations made from foreign call centers to residential telephone subscribers in the United States?

89. As another example, section 227(d) directs the Commission to “prescribe technical and procedural standards for systems that are used to transmit any artificial or prerecorded voice message via telephone,”<sup>129</sup> including a requirement that artificial or prerecorded messages state certain information about the caller.<sup>130</sup> Would this provision support a requirement that an artificial or prerecorded message specify, at the beginning of the message, that the call center is foreign? Would this provision also support a requirement to offer to transfer a call—then do so upon request—to a domestic call center?

90. To the extent that the TCPA confers independent authority on the Commission to prohibit or regulate certain practices of foreign call centers, may the Commission impose liability for such practices on the service provider or other entity that authorizes a foreign call center to engage in such practices? The Commission has specifically ruled that a seller may be held vicariously liable under federal common law principles of agency for violations of sections 227(b) and 227(c) of the Act committed by third-party telemarketers that are authorized to market the seller’s goods or services.<sup>131</sup> By the same reasoning, may the Commission hold a seller vicariously liable under federal common law principles of agency for violations of the Commission’s rules implementing sections 227(c) and 227(d) of the Act committed by authorized third-party telemarketers?

91. *Requirements Applicable to Entities Providing NANP Numbers to Businesses.* We also seek comment on whether we have authority to make our proposed rules applicable more broadly, e.g., to “stand-alone” providers of non-interconnected VoIP, Internet access, and other Internet-only services, or even to providers of non-communications products and services, pursuant to our authority to ensure the efficient and appropriate use of telephone numbers, pursuant to section 251(e) of the Act. For example, could we adopt a requirement applicable to telecommunications carriers and VoIP service providers, providing that, prior to providing U.S. telephone numbers to businesses that operate call centers abroad, or prior to allowing the routing abroad of calls placed to such U.S. numbers, a telecommunications carrier or VoIP service providers must obtain a certification in writing that the assignee of such telephone number shall ensure that any foreign call center using such number shall comply with the requirements of the rules proposed herein? We also seek comment generally on any other bases of authority for our proposals regarding the use of foreign customers service operations by providers.

92. Could we similarly rely on section 251(e) to extend some or all of our proposed requirements regarding the use of foreign customer service operations for calls other than those made on

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<sup>127</sup> 47 U.S.C. § 227(c)(1), (2). “Telephone solicitations” are defined as “the initiation of a telephone call or message for the purpose of encouraging the purchase or rental of, or investment in, property, goods, or services, which is transmitted to any person, but such term does not include a call or message (A) to any person with that person’s prior express invitation or permission, (B) to any person with whom the caller has an established business relationship, or (C) by a tax exempt nonprofit organization.”

47 U.S.C. § 227(a)(4).

<sup>128</sup> 47 CFR § 64.1200(c)(2).

<sup>129</sup> 47 U.S.C. § 227(d)(3).

<sup>130</sup> 47 U.S.C. § 227(d)(3)(A).

<sup>131</sup> *The Joint Petition Filed by DISH Network, LLC, the United States of America, and the States of California, Illinois, North Carolina, and Ohio for Declaratory Ruling Concerning the Telephone Consumer Protection Act (TCPA) Rules et al.*, CG Docket No. 11-50, Declaratory Ruling, 28 FCC Rcd 6574, 6584-93, paras. 28-47 (2013).

behalf of providers? Are there other sources of authority that we could rely on to extend some or all of our proposed requirements to such calls?

## 2. Authority for Tariff or Bond Solutions

93. We also seek comment on whether the Commission has authority under the Act to impose a tariff or bond on service providers that transmit calls from foreign countries to the United States, which tariff or bond would be subject, in whole or in part, to forfeiture if the service provider allows unlawful calls. For example, in 2023, the Commission adopted expanded caller ID authentication and robocall mitigation requirements, relying on sections 201(b), 202(a), and 251(e) of the Communications Act, the Truth in Caller ID Act, and its ancillary authority.<sup>132</sup> Would these provisions also authorize a requirement for service providers to post a bond as a condition of participation in the Robocall Mitigation Database, which would be subject to forfeiture if the service provider allows unlawful calls? Would these or other statutory provisions provide the Commission with authority to implement tariff or bonding requirements generally, including those specifically discussed above?

### D. Costs and Benefits

94. This NPRM proposes to require providers to ensure that foreign call center staff are proficient in American Standard English, to ensure that U.S.-based customer service representatives handle all customer calls involving sensitive customer information, to limit the volume of customer calls handled by foreign call centers, to notify customers when they are speaking to a foreign call center, to transfer calls to a U.S.-based call center upon request, and to report on associated customer service metrics. These policies are expected to improve the quality of customer service and reduce financial losses stemming from scams connected to foreign call centers. Providers, however, may incur costs to shift call center operations to the United States.

95. *Costs.* To understand the effect of these policies on providers' costs, we need to understand how providers are currently providing call-based customer service. First, do providers operate call centers, either domestically or overseas, in house or under contract with other companies? How does this structure affect the costs of operating call centers, and the decision to host customer service domestically or overseas? How does it affect the share of calls handled domestically and overseas?

96. With respect to individual providers, how many customer calls are handled in foreign call centers and what share of calls does this represent? How many customer service representatives do providers employ, either directly or through a contractor, in foreign call centers? Where are foreign call centers used by providers located? How many representatives do providers employ, either directly or through a contractor, in the United States? Do U.S.-based representatives work remotely or at call centers?

97. Next, we focus on the difference between the cost of hiring customer service representatives in the United States and in other countries. Indeed is a private company that collects data on workers' salaries around the world. Table 1 below shows Indeed's estimates of the average annual salaries of customer service representatives in India, the Philippines, and Mexico as of February 2026. In addition, based on Indeed and the U.S. Bureau of Labor Statistics (BLS) data, Table 1 below also shows estimates of average annual salary for customer service representatives in the United States. We seek comment on which other countries host provider call centers and whether any of the countries should be removed from the list.

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<sup>132</sup> *Call Authentication Trust Anchor*, WC Docket No. 17-97, Sixth Report and Order and Further Notice of Proposed Rulemaking, FCC 23-18, paras. 90-95 (2023) (citing 47 U.S.C. §§ 154(i), 201(b), 202(a), 227(e), 251(e)).

**Table 1: Average Customer Service Representative Salaries 2026**

Country	Annual salary (USD) <sup>133</sup>
India <sup>134</sup>	\$2,904
Philippines <sup>135</sup>	\$5,115
Mexico <sup>136</sup>	\$16,252
United States (Indeed) <sup>137</sup>	\$66,809
United States (BLS) <sup>138</sup>	\$46,372

98. We seek comment on the salaries in Table 1. Are they reasonably accurate? The data suggest that customer service representatives are paid significantly more in the United States compared to India, the Philippines, and Mexico. To understand how provider costs would change if the proposed policies were adopted, we seek comment on how providers would change their customer service practices to respond to the proposed policies. Would any provider need to set up a call center in the United States or hire a contractor for call center services in the United States? How many U.S.-based representatives would providers need to hire? If a provider needs to set up a call center in the United States, what additional costs, besides hiring representatives, would it face? How much, if at all, would providers reduce the number of foreign representatives? Would call wait times for customers increase? Would providers be able to save some personnel costs by deploying AI or automated systems to work with representatives to handle calls more efficiently while maintaining high quality customer service? How costly would these solutions be? We ask commenters to describe how providers would respond to various thresholds for the share of calls answered by a U.S.-based representative. For example, how would providers respond if the threshold were 30%, 50%, and 75%? How would providers respond if there was no threshold but providers were required to transfer calls to U.S.-based representatives upon customer request?

99. *Benefits.* If the proposed policies are adopted, consumers might receive better customer service, potentially saving consumers time and money. Are there ways to measure the benefit to consumers of improved satisfaction with customer service?

100. In addition, the proposed policies may reduce financial losses stemming from scams

<sup>133</sup> Wall Street Journal, *Exchange Rates*, <https://www.wsj.com/market-data/currencies/exchangerates> (last visited Feb. 9, 2026).

<sup>134</sup> Indeed, *Customer service representative salary in India*, <https://in.indeed.com/career/customer-service-representative/salaries> (last visited Feb. 9, 2026).

<sup>135</sup> Indeed, *Customer service representative salary in Philippines*, <https://ph.indeed.com/career/customer-service-representative/salaries> (last visited Feb. 9, 2026).

<sup>136</sup> Indeed, *Customer service representative salary in Mexico*, <https://ph.indeed.com/career/customer-service-representative/salaries/Mexico> (last visited Feb. 9, 2026).

<sup>137</sup> Indeed, *Customer service representative salary in United States*, <https://www.indeed.com/career/customer-service-representative/salaries> (last visited Feb. 9, 2026).

<sup>138</sup> Bureau of Labor Statistics, *Occupational Employment and Wages, May 2023. 43-4051 Customer Service Representatives*, <https://www.bls.gov/oes/2023/may/oes434051.htm> (last visited Jan. 16, 2026). Average annual salary has been adjusted for inflation. Bureau of Labor Statistics, *CPI Inflation Calculator*, [https://www.bls.gov/data/inflation\\_calculator.htm](https://www.bls.gov/data/inflation_calculator.htm) (last visited Feb. 9, 2026).

connected to foreign call centers by requiring that only U.S.-based representatives handle calls that involve sensitive customer information and reducing the number of calls that are handled by foreign call centers. The FBI reports that consumers lost at least \$1.3 billion to call center fraud in 2023.<sup>139</sup> We expect that a very large share of this amount is attributable to scam call centers.<sup>140</sup> Such centers are operated for the sole purpose of conducting scams and are unlikely to be answering or making calls for legitimate American businesses. We seek comment on how much of the above total is connected to foreign call centers employed by legitimate American businesses. However, even if a very large share of call center fraud is attributable to scam call centers, reducing the volume of calls that is handled by legitimate foreign call centers may reduce financial losses stemming from scam call centers. This could happen if American callers become more suspicious and cautious in interactions with foreign call center staff as such interactions become more rare. We seek comment on this.

#### IV. PROCEDURAL MATTERS

##### A. Initial Regulatory Flexibility Act Analysis

101. *Regulatory Flexibility Act.* The Regulatory Flexibility Act of 1980, as amended (RFA),<sup>141</sup> requires that an agency prepare a regulatory flexibility analysis for notice-and-comment rulemaking proceedings, unless the agency certifies that “the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities.”<sup>142</sup> Accordingly, the Commission has prepared an Initial Regulatory Flexibility Analysis (IRFA) concerning potential rule and policy changes contained in this *Notice*. The IRFA is set forth in Appendix B. The Commission invites the general public, in particular small businesses, to comment on the IRFA. Comments must be filed by the deadlines for comments on this *Notice* indicated on the first page of this document and must have a separate and distinct heading designating them as responses to the IRFA.

##### B. Initial Paperwork Reduction Act Analysis

102. This *Notice* may contain proposed new or modified information collection requirements. The Commission, as part of its continuing effort to reduce paperwork burdens and pursuant to the Paperwork Reduction Act of 1995, Public Law 104-13, invites the general public and the Office of Management and Budget (OMB) to comment on these information collection requirements. In addition, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, *see* 44 U.S.C. § 3506(c)(4), we seek specific comment on how we might further reduce the information collection burden for small business concerns with fewer than 25 employees.

##### C. Filing Requirements—Comments and Replies

103. Pursuant to sections 1.415 and 1.419 of the Commission’s rules, 47 CFR §§ 1.415, 1.419, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments may be filed using the Commission’s Electronic Comment Filing System (ECFS).<sup>143</sup>

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <https://www.fcc.gov/ecfs>.

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<sup>139</sup> Internet Crime Complaint Center (IC3), *Tech/Customer Support and Government Impersonation*, <https://www.ic3.gov/CrimeInfo/TechSupportGovImpersonation> (last visited Feb. 26, 2026).

<sup>140</sup> Yudhijit Bhattacharjee, *Who’s making all those scam calls?* (June 15, 2023), <https://www.nytimes.com/2021/01/27/magazine/scam-call-centers.html>.

<sup>141</sup> 5 U.S.C. §§ 601 *et seq.*, as amended by the Small Business Regulatory Enforcement and Fairness Act (SBREFA), Pub. L. No. 104-121, 110 Stat. 847 (1996).

<sup>142</sup> *Id.* § 605(b).

<sup>143</sup> *See* Electronic Filing of Documents in Rulemaking Proceedings, 63 FR 24121 (1998).

- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing.
  - Filings can be sent by hand or messenger delivery, by commercial courier, or by the U.S. Postal Service. **All filings must be addressed to the Secretary, Federal Communications Commission.**
  - Hand-delivered or messenger-delivered paper filings for the Commission’s Secretary are accepted between 8:00 a.m. and 4:00 p.m. by the FCC’s mailing contractor at 9050 Junction Drive, Annapolis Junction, MD 20701. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
  - Commercial courier deliveries (any deliveries not by the U.S. Postal Service) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
  - Filings sent by U.S. Postal Service First-Class Mail, Priority Mail, and Priority Mail Express must be sent to 45 L Street NE, Washington, DC 20554.
- People with Disabilities. To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer and Governmental Affairs Bureau at (202) 418-0530.

#### **D. Ex Parte Rules**

104. The proceeding this *Notice* initiates shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.<sup>144</sup> Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda, or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). Written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must, when feasible, be filed through the electronic comment filing system in the docket established for this proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules

#### **E. Providing Accountability Through Transparency Act**

105. Consistent with the Providing Accountability Through Transparency Act, Public Law 118-9, a summary of this document will be available on <https://www.fcc.gov/proposed-rulemakings>.<sup>145</sup>

#### **F. Additional Information**

106. For further information about this *Notice*, contact John B. Adams, Special Counsel,

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<sup>144</sup> 47 CFR § 1.1206.

<sup>145</sup> 5 U.S.C. § 553(b)(4). The Providing Accountability Through Transparency Act of 2023, Pub. L. No. 118-9 (2023), amended the Administrative Procedure Act to add a requirement to publish a short summary, in plain language, of each notice of proposed rulemaking.

Consumer Policy Division, Consumer and Governmental Affairs Bureau, at [johnb.adams@fcc.gov](mailto:johnb.adams@fcc.gov).

## V. ORDERING CLAUSES

107. Accordingly, **IT IS ORDERED**, pursuant to sections 1-4, 201(b), 202(a), 217, 222, 227, 251(e), 301, 303, 316, 332, 335, 631, 632 of the Communications Act of 1934, as amended, 47 U.S.C §§ 151-154, 201(b), 202(a), 217, 222, 227, 251(e), 301, 303, 316, 332, 336, 631, 632 and sections 1.411 – 1.413, and 1.421 of the Commission’s rules, 47 CFR §§ 1.411-1.413, 1.421, that this Notice of Proposed Rulemaking in CG Docket No. 26-52, Tenth Further Notice of Proposed Rulemaking in CG Docket No. 17-59 and Further Notice of Proposed Rulemaking in CG Docket No. 02-278 **IS ADOPTED**.<sup>146</sup>

108. **IT IS FURTHER ORDERED**, pursuant to sections 1.415 and 1.419 of the Commission’s Rules, 47 CFR §§ 1.415, 1.419, that interested parties may file comments on the rulemaking portion of this Notice of Proposed Rulemaking in CG Docket No. 26-52, Tenth Further Notice of Proposed Rulemaking in CG Docket No. 17-59 and Further Notice of Proposed Rulemaking in CG Docket No. 02-278 on or before 30 days after publication in the Federal Register, and reply comments on or before 60 days after publication in the Federal Register.

109. **IT IS FURTHER ORDERED** that the Commission’s Office of the Secretary **SHALL SEND** a copy of this Notice of Proposed Rulemaking in CG Docket No. 26-52, Tenth Further Notice of Proposed Rulemaking in CG Docket No. 17-59 and Further Notice of Proposed Rulemaking in CG Docket No. 02-278, including the Initial Regulatory Flexibility Analysis, to the Chief Counsel for Small Business Administration (SBA) Office of Advocacy.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch  
Secretary

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<sup>146</sup> Pursuant to Executive Order 14215, 90 Fed. Reg. 10447 (Feb. 20, 2025), this regulatory action has been determined to be not significant under Executive Order 12866, 58 Fed. Reg. 68708 (Dec. 28, 1993).

**APPENDIX A**  
**Proposed Rules**

For the reasons discussed in the document, the Federal Communications Commission proposes to amend 47 CFR Parts 25, 64, and 76 as follows:

**PART 25 – Satellite Communications**

The authority citation for part 25 continues to read as follows:

**Authority:** 47 U.S.C. 154, 301, 302, 303, 307, 309, 310, 319, 332, 605, and 721, unless otherwise noted.

**Subpart J – Public Interest Obligations**

Amend § 25.701 by revising paragraph(a) introductory text and by adding paragraphs (g) and (h) to read as follows:

**§25.701 Other DBS Public Interest Obligations**

(a) DBS providers are subject to the public interest obligations set forth in paragraphs (b), (c), (d), (e), (f), and (g) of this section. As used in this section, DBS providers are any of the following:

\* \* \* \* \*

(g) A DBS provider or its affiliate that utilizes customer representatives located outside of the United States to engage in customer service communications, must:

(1) Ensure that its customer representatives located outside of the United States are proficient in spoken and written American Standard English.

(2) Ensure that no more than [XX] percent of calls are handled by customer representatives located outside of the United States.

(3) Inform customers at the beginning of each call that the call is being handled by a customer representative located outside of the United States and that the customer has the right to have the call transferred to a customer representative located within the United States.

(4) Upon request, transfer the call to a customer representative located within the United States. Wait times for transferred calls must be no longer than those for calls routed directly to a customer representative located within the United States.

(5) Ensure that calls or other communications, such as by electronic mail, text messages, or online chat, that involve access to or transmission of sensitive consumer information, account information, or financial information, such as passwords, password resets, multi-factor authentication codes, social security numbers, bank account numbers, or credit card numbers, are handled by a customer representative located within the United States.

(6) Track and report its compliance with paragraphs (g)(1) – (g)(5) of this section.

(h) The term “affiliate” in paragraph (g) of this section means any “affiliate” of a DBS provider, as defined by 47 U.S.C. § 153(2), that provides Internet access service.

\* \* \* \* \*

**PART 64 – Miscellaneous Rules Relating to Common Carriers**

The authority citation for part 64 continues to read as follows:

**Authority:** 47 U.S.C. §§ 151, 152, 154, 201, 202, 217, 218, 220, 222, 225, 226, 227, 227b, 228, 251(a), 251(e), 254(k), 255, 262, 276, 403(b)(2)(B), (c), 616, 620, 716, 1401-1473, unless otherwise noted; Pub. L. 115-141, Div. P, sec. 503, 132 Stat. 348, 1091; Pub. L. 117-338, 136 Stat. 6156.

**Subpart U – Privacy of Customer Information**

Amend § 64.2009 by adding subparagraph (g) and (h) to read as follows:

**§ 64.2009 Safeguards required for use of customer proprietary network information**

\* \* \* \* \*

(g) A telecommunications carrier or its affiliate that utilizes customer representatives located outside of the United States to engage in customer service communications or otherwise uses customer proprietary network information outside of the United States or makes customer proprietary network information available to any customer representative located outside of the United States, must:

(1) Ensure that its customer representatives located outside of the United States are proficient in spoken and written American Standard English.

(2) Ensure that no more than [XX] percent of calls to or from customers are handled by a customer representative located outside of the United States.

(3) Inform customers at the beginning of each call that the call is being handled by a customer representative located outside of the United States and that the customer has the right to have the call transferred to a customer representative located within the United States.

(4) Upon request, transfer the call to a customer representative located within the United States. Wait times for transferred calls must be no longer than those for calls routed directly to a customer representative located within the United States.

(5) Ensure that calls or other communications, such as by electronic mail, text messages, or online chat, that involve access to or transmission of sensitive consumer information, account information, or financial information, such as passwords, password resets, multi-factor authentication codes, social security numbers, bank account numbers, or credit card numbers, are handled by a customer representative located within the United States.

(6) Track and report its compliance with paragraphs (g)(1) – (g)(5) of this section.

(h) The term “affiliate” in paragraph (g) of this section means any “affiliate” of a telecommunications carrier, as defined by 47 U.S.C. § 153(2), that provides Internet access service.

\* \* \* \* \*

**PART 76 – Multichannel Video and Cable Television Service**

1. The authority citation for Part 76 continues to read as follows:

Authority: Authority:47 U.S.C. 151, 152, 153, 154, 301, 302, 302a, 303, 303a, 307, 308, 309, 312, 315, 317, 325, 335, 338, 339, 340, 341, 503, 521, 522, 531, 532, 534, 535, 536, 537, 543, 544, 544a, 545, 548, 549, 552, 554, 556, 558, 560, 561, 562, 571, 572, 573.

**Subpart H – General Operating Requirements**

2. Amend § 76.309 by adding paragraphs (c)(1)(vi) and (vii) to read as follows:

**§ 76.309 Customer service obligations.**

\* \* \* \* \*

(c) \* \* \*

(1) \* \* \*

(vi) A cable operator or its affiliate that utilizes customer representatives located outside of the United States to engage in customer communications, including answering calls to the access line or making calls to subscribers, must:

- (A) Ensure that its customer representatives located outside of the United States are proficient in spoken and written American Standard English.
- (B) Ensure that no more than [XX] percent of calls are handled by customer representatives located outside of the United States.
- (C) Inform customers at the beginning of each call that the call is being handled by a customer representative located outside of the United States and that the customer has the right to have the call transferred to a customer representative located within the United States.
- (D) Upon request, transfer the call to a customer representative located within the United States. Wait times for transferred calls must be no longer than those for calls routed directly to a customer representative located within the United States.
- (E) Ensure that calls or other communications, such as by electronic mail, text message, or online chat that involve access to or transmission of sensitive consumer information, account information, or financial information, such as passwords, password resets, multi-factor authentication codes, social security numbers, bank account numbers, or credit card numbers, are handled by a customer representative located within the United States.
- (F) Notwithstanding subparagraph (C)(1)(iii) of this subsection, track and report its compliance with subparagraphs (c)(1)(vi)(A) through (E) of this section.
- (vii) The term “affiliate” in paragraph (c)(1)(vi) of this section means any “affiliate” of a cable operator, as defined by 47 U.S.C. § 153(2), that provides Internet access service.

## APPENDIX B

## Initial Regulatory Flexibility Analysis

1. As required by the Regulatory Flexibility Act of 1980, as amended (RFA),<sup>1</sup> the Federal Communications Commission (Commission) has prepared this Initial Regulatory Flexibility Analysis (IRFA) of the policies and rules proposed in the *Notice of Proposed Rulemaking (Notice)* assessing the possible significant economic impact on a substantial number of small entities. The Commission requests written public comments on this IRFA. Comments must be identified as responses to the IRFA and must be filed by the deadlines for comments specified on the first page of the *Notice*. The Commission will send a copy of the *Notice*, including this IRFA, to the Chief Counsel for the Small Business Administration (SBA) Office of Advocacy.<sup>2</sup> In addition, the *Notice* and IRFA (or summaries thereof) will be published in the Federal Register.<sup>3</sup>

**A. Need for, and Objectives of, the Proposed Rules**

2. America's communication service providers conduct sales and customer service interactions through a variety of channels, including phone calls, online chat, email, and text messages. Increasingly these entry points connect consumers with foreign call centers. Foreign call centers may employ individuals who, even if trained to speak English, might not pick up on other cues that are critical to understanding a consumer, e.g., idioms, intonation, and other speech characteristics that are just as important as words. Foreign call centers might also be located in a country without the same guarantees that consumer information will be safeguarded in ways required by American laws. The Commission expects the measures proposed in the *Notice* will improve U.S. customer service and better protect U.S. consumers' sensitive personal information by limiting foreign access to that information, regardless of whether a foreign call center makes a call to a consumer or answers a call from a consumer.

**B. Legal Basis**

3. The proposed *Notice* is authorized pursuant to sections 1-4, 201(b), 202(a), 217, 222, 227, 251(e), 301, 303, 316, 332, 631, 632 of the Communications Act of 1934, as amended, 47 U.S.C §§ 151-154, 201(b), 202(a), 217, 222, 227, 251(e), 301, 303, 332, 631, 632, and sections 1.411 – 1.413, and 1.421 of the Commission's rules, 47 CFR §§ 1.411-1.413, 1.421.

**C. Description and Estimate of the Number of Small Entities to Which the Proposed Rules Will Apply**

4. The RFA directs agencies to provide a description of and, where feasible, an estimate of the number of small entities that may be affected by the proposed rules, if adopted.<sup>4</sup> The RFA generally defines the term "small entity" as having the same meaning as the terms "small business," "small organization," and "small governmental jurisdiction."<sup>5</sup> In addition, the term "small business" has the same meaning as the term "small business concern" under the Small Business Act.<sup>6</sup> A "small business

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<sup>1</sup> 5 U.S.C. §§ 601 *et seq.*, as amended by the Small Business Regulatory Enforcement and Fairness Act (SBREFA), Pub. L. No. 104-121, 110 Stat. 847 (1996).

<sup>2</sup> *Id.* § 603(a).

<sup>3</sup> *Id.*

<sup>4</sup> 5 U.S.C. § 603(b)(3).

<sup>5</sup> *Id.* § 601(6).

<sup>6</sup> *Id.* § 601(3) (incorporating by reference the definition of "small-business concern" in the Small Business Act, 15 U.S.C. § 632). Pursuant to 5 U.S.C. § 601(3), the statutory definition of a small business applies "unless an agency, after consultation with the Office of Advocacy of the Small Business Administration and after opportunity for public comment, establishes one or more definitions of such term which are appropriate to the activities of the agency and publishes such definition(s) in the Federal Register."

concern” is one which: (1) is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the SBA.<sup>7</sup> The SBA establishes small business size standards that agencies are required to use when promulgating regulations relating to small businesses; agencies may establish alternative size standards for use in such programs, but must consult and obtain approval from SBA before doing so.<sup>8</sup>

5. Our actions, over time, may affect small entities that are not easily categorized at present. We therefore describe three broad groups of small entities that could be directly affected by our actions.<sup>9</sup> In general, a small business is an independent business having fewer than 500 employees.<sup>10</sup> These types of small businesses represent 99.9% of all businesses in the United States, which translates to 34.75 million businesses.<sup>11</sup> Next, “small organizations” are not-for-profit enterprises that are independently owned and operated and not dominant their field.<sup>12</sup> While we do not have data regarding the number of non-profits that meet that criteria, over 99 percent of nonprofits have fewer than 500 employees.<sup>13</sup> Finally, “small governmental jurisdictions” are defined as cities, counties, towns, townships, villages, school districts, or special districts with populations of less than fifty thousand.<sup>14</sup> Based on the 2022 U.S. Census of Governments data, we estimate that at least 48,724 out of 90,835 local government jurisdictions have a population of less than 50,000.<sup>15</sup>

6. The rules proposed in the *Notice* will apply to small entities in the industries identified in the chart below by their six-digit North American Industry Classification System (NAICS)<sup>16</sup> codes and corresponding SBA size standard.<sup>17</sup> Based on currently available U.S. Census data regarding the estimated number of small firms in each identified industry, we conclude that the proposed rules will impact a substantial number of small entities. Where available, we also provide additional information regarding the number of potentially affected entities in the industries identified below.

**Table 1. 2022 U.S. Census Bureau Data by NAICS Code**

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<sup>7</sup> 15 U.S.C. § 632.

<sup>8</sup> 13 CFR 121.903.

<sup>9</sup> 5 U.S.C. § 601(3)-(6).

<sup>10</sup> See SBA, Office of Advocacy, *Frequently Asked Questions About Small Business* (July 23, 2024), [https://advocacy.sba.gov/wp-content/uploads/2024/12/Frequently-Asked-Questions-About-Small-Business\\_2024-508.pdf](https://advocacy.sba.gov/wp-content/uploads/2024/12/Frequently-Asked-Questions-About-Small-Business_2024-508.pdf).

<sup>11</sup> *Id.*

<sup>12</sup> 5 U.S.C. § 601(4).

<sup>13</sup> See SBA, Office of Advocacy, *Small Business Facts, Spotlight on Nonprofits* (July 2019), <https://advocacy.sba.gov/2019/07/25/small-business-facts-spotlight-on-nonprofits/>.

<sup>14</sup> 5 U.S.C. § 601(5).

<sup>15</sup> See U.S. Census Bureau, 2022 Census of Governments –Organization, <https://www.census.gov/data/tables/2022/econ/gus/2022-governments.html>, tables 1-11.

<sup>16</sup> The North American Industry Classification System (NAICS) is the standard used by Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy. See [www.census.gov/NAICS](http://www.census.gov/NAICS) for further details regarding the NAICS codes identified in this chart.

<sup>17</sup> The size standards in this chart are set forth in 13 CFR 121.201, by six digit North American Industrial Classification System (NAICS) code.

<b>Regulated Industry (Footnotes specify potentially affected entities within a regulated industry where applicable)</b>	<b>NAICS Code</b>	<b>SBA Size Standard</b>	<b>Total Firms<sup>18</sup></b>	<b>Total Small Firms<sup>19</sup></b>	<b>% Small Firms</b>
Wired Telecommunications Carriers <sup>20</sup>	517111	1,500 employees	3,403	3,027	88.95%
Wireless Telecommunications Carriers (except Satellite) <sup>21</sup>	517112	1,500 employees	1,184	1,081	91.30%
Telecommunications Resellers <sup>22</sup>	517121	1,500 employees	955	847	88.69%
All Other Telecommunications <sup>23</sup>	517810	\$40 million	1,673	1,007	60.19%
Telemarketing Bureaus and Other Contact Centers	561422	\$25.5 million	2,380	1,798	75.55%

<sup>18</sup> U.S. Census Bureau, “Selected Sectors: Employment Size of Firms for the U.S.: 2022.” Economic Census, ECN Core Statistics Economic Census: Establishment and Firm Size Statistics for the U.S., Table EC2200SIZEEMPfirm, 2025, and/or “Selected Sectors: Sales, Value of Shipments, or Revenue Size of Firms for the U.S.: 2022.” Economic Census, ECN Core Statistics Economic Census: Establishment and Firm Size Statistics for the U.S., Table EC2200SIZEREVFirm, 2025.

<sup>19</sup> *Id.*

<sup>20</sup> Affected Entities in this industry include Local Exchange Carriers (LECs), Providers of International Telecommunications Transmission Facilities, Wired Broadband Internet Access Service Providers.

<sup>21</sup> Affected Entities in this industry include Offshore Radiotelephone Service, Rural Radiotelephone Service, Wireless Broadband Internet Access Service Providers, Wireless Carriers and Service Providers, Wireless Communications Services, Wireless Telephony.

<sup>22</sup> Affected Entities in this industry include Local Resellers and Toll Resellers.

<sup>23</sup> Affected Entities in this industry include Internet Service Providers (Non-Broadband).

**Table 2. Telecommunications Service Provider Data**

2024 Universal Service Monitoring Report Telecommunications Service Provider Data <sup>24</sup> (Data as of December 2023)	SBA Size Standard (1500 Employees)		
	Affected Entity	Total # FCC Form 499A Filers	Small Firms
Local Exchange Carriers (LECs) <sup>25</sup>	4,904	4,493	91.62
Local Resellers	222	217	97.75
Toll Resellers	411	398	96.84
Telecommunications Resellers	633	615	97.16
Wired Telecommunications Carriers <sup>26</sup>	4,682	4,276	91.33
Wireless Telecommunications Carriers (except Satellite) <sup>27</sup>	585	498	85.13
Wireless Telephony <sup>28</sup>	326	247	75.77

**D. Description of Economic Impact and Projected Reporting, Recordkeeping, and Other Compliance Requirements for Small Entities**

7. The RFA directs agencies to describe the economic impact of proposed rules on small entities, as well as projected reporting, recordkeeping and other compliance requirements, including an estimate of the classes of small entities which will be subject to the requirements and the type of professional skills necessary for preparation of the report or record.<sup>29</sup>

8. The changes proposed in the *Notice*, if adopted, may impose new or modified reporting, recordkeeping, and or other compliance obligations on certain small entities. In the *Notice*, the Commission proposes requirements that United States (U.S.) authorized service providers ensure that foreign call center staff are proficient in American Standard English, in order to limit the volume of U.S. customer calls handled by foreign call centers. The Commission also proposes a requirement to notify customers when they are speaking to a foreign call center, allowing a U.S. consumer to transfer calls to a U.S.-based call center upon request. In addition, this *Notice* seeks comment as whether U.S. call centers should handle certain transactions involving sensitive consumer information only via call centers located in the United States. The Commission also proposes to require U.S. providers to track and report their compliance with these proposed rules, and seeks comment about the appropriate frequency for making

<sup>24</sup> Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2024), <https://docs.fcc.gov/public/attachments/DOC-408848A1.pdf>.

<sup>25</sup> Affected Entities in this industry include all reporting fixed local service providers (CLECs & ILECs).

<sup>26</sup> Local Resellers fall into another U.S. Census Bureau industry (Telecommunications Resellers) and therefore data for these providers is not included in this industry.

<sup>27</sup> Affected Entities in this industry include all reporting wireless carriers and service providers.

<sup>28</sup> Affected Entities in this industry include Cellular/PCS/SMR - Specialized Mobile Radio Licensees and SMR (Dispatch).

<sup>29</sup> 5 U.S.C. § 603(b)(4).

such reports. Additionally, in the *Notice*, the Commission seeks comment on whether and how tariffs, or a requirement to post a bond, could be used to increase the costs associated with making fraudulent or other unlawful calls to the U.S. from foreign countries.

9. The Commission seeks comment on how provider operating costs would change, and how providers might adjust their customer service practices, if the proposed policies were adopted. The information we receive in comments will help the Commission identify and evaluate relevant compliance matters, costs, and other possible burdens for small entities that may result from the proposals and inquiries made in the *Notice*. The Commission will consider the economic impact on small entities, as identified in comments filed in response to the *Notice*, in reaching its final conclusions and taking action in this proceeding.

**E. Discussion of Significant Alternatives Considered That Minimize the Significant Economic Impact on Small Entities**

10. The RFA directs agencies to provide a description of any significant alternatives to the proposed rules that would accomplish the stated objectives of applicable statutes, and minimize any significant economic impact on small entities.<sup>30</sup> The discussion is required to include alternatives such as: “(1) the establishment of differing compliance or reporting requirements or timetables that take into account the resources available to small entities; (2) the clarification, consolidation, or simplification of compliance and reporting requirements under the rule for such small entities; (3) the use of performance rather than design standards; and (4) an exemption from coverage of the rule, or any part thereof, for such small entities.”<sup>31</sup>

11. In the *Notice*, the Commission seeks comment regarding several alternative proposals and possible approaches it may take to meet its consumer protection and national security objectives. Small entities are encouraged to bring to the Commission’s attention any specific concerns they may have with the proposals outlined in the *Notice* and outline any additional alternatives, especially alternatives that are less burdensome, less costly, or more effective.

**F. Federal Rules that May Duplicate, Overlap, or Conflict with the Proposed Rules**

12. None.

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<sup>30</sup> 5 U.S.C. § 603(c).

<sup>31</sup> *Id.* § 603(c)(1)-(4).