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June 2, 2026

Marlene H. Dortch, Secretary
Federal Communications Commission
45 L Street NE
Washington, DC 20554

VIA ECFS: <https://www.fcc.gov/ecfs>

Re: 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

Dear Secretary Dortch,

The Receivables Management Association International, Inc. (RMAI) submits this letter in response to the Federal Communication Commission’s Notice of Proposed Rulemaking (the “NPRM”) under the above docket numbers and published in the Federal Register on April 23, 2026. In addition, RMAI submits, as part of this letter, a separate and distinct heading for its responses to the Initial Regulatory Flexibility Analysis.

RMAI is a nonprofit trade association representing more than 600 businesses engaged in the purchase or support of performing and nonperforming receivables on the secondary market, including debt buyers, collection agencies, law firms, creditors, brokers, and service providers. The secondary market plays a vital role in lowering credit costs and expanding access to credit for consumers. Since 2013, RMAI’s Receivables Management Certification Program has set rigorous industry standards that meet or exceed legal requirements to protect consumers. Today, 539 businesses and individuals hold certification, covering nearly all major U.S. debt buyers and an estimated 80–90% of charged-off receivables.

RMAI strongly supports the FCC’s efforts to disrupt foreign scam call centers, protect sensitive consumer data and reduce unlawful robocalls and fraud. As we understand the Commission’s proposed rule’s scope, the proposed covered entities are: “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.”¹

However, the Commission also requests comment on whether it should extend “some or all of our proposals to all calls covered by sections [47 U.S.C. §§] 227(c) and (d) that originate outside the United States, not just calls on behalf of the types of providers already discussed.” Our responses address this issue as it pertains to each request for comment. As explained below, we believe the Commission lacks authority for such an expansion. In particular, such a broad assertion of regulatory authority would raise concerns under the major questions doctrine, which requires clear congressional authorization before an agency may exercise powers of vast economic and political significance. But, if the Commission adopted such a rule, it should exempt financial institutions covered by 15 U.S.C. § 6801(b). Such financial institutions are already subject to federal² and state³ oversight concerning data security, and particularly the protection of non-public personal information. This federal and state oversight extends to vendors of our members, like call centers, whether they are onshore or offshore.⁴ RMAI’s Receivable Management Certification Program (RMCP) standard A7 also requires certified entities to comply with a Data Security Standard aligned with the FTC’s Safeguards Rule⁵ and to implement policies and controls designed to protect consumer information, subject to independent audit.⁶ We are not aware of any data security concerns posed by offshore call centers. Any such call centers would already be required to comply with the same data security practices imposed on our members through existing federal and state law.⁷

RMAI’s Responses to Requests for Comment (references are to the numbered paragraphs of the NPRM)

¹ 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, March 5, 2026, available at <https://docs.fcc.gov/public/attachments/DOC-419247A1.pdf>, archived at <https://perma.cc/MP5E-9MDT>.

² See 16 C.F.R. § 314.2(r) which defines a service provider as “any person or entity that receives, maintains, processes, or otherwise is permitted access to customer information through its provision of services directly to a financial institution that is subject to this part;” and 16 C.F.R. § 314.4(f) (A covered financial institution must oversee service providers, including by “(1) Taking reasonable steps to select and retain service providers that are capable of maintaining appropriate safeguards for the customer information at issue; (2) Requiring [] service providers by contract to implement and maintain such safeguards; and (3) Periodically assessing [] service providers based on the risk they present and the continued adequacy of their safeguards.”)

³ For example, New York 23 N.Y.C.R.R. § 500.11(a) requires covered financial institutions to “implement written policies and procedures designed to ensure the security of information systems and nonpublic information that are accessible to, or held by, third-party service providers,” including: (1) identification and risk assessment of third parties; (2) minimum cybersecurity practices they must meet; (3) due diligence processes; and (4) periodic assessment of such third-party service providers based on the risk they present and the continued adequacy of their cybersecurity practices.

⁴ 16 C.F.R. § 314.4(f).

⁵ 16 C.F.R. 314.

⁶ RMAI, *Receivables Management Certification Program* (Ver. 14), p. 33, Mar. 1, 2026, available at <https://rmaintl.org/wp-content/uploads/2026/02/Certification-Policy-version-14.0-Hyperlinks.pdf>, archived at <https://perma.cc/TNC2-SWFQ>.

⁷ 16 C.F.R. § 314.4(f).

Requests for Comment 27, 28 and 30.

RMAI supports clear, comprehensible consumer communications. Existing local laws covering RMAI members address language requirements as outcome-based and provide flexibility.⁸ Any expansion of FCC authority to all calls covered by sections 47 U.S.C. §§ 227(c) and (d) would create uncertainty. A one-size-fits-all approach will not work when RMAI members are already subject to communications standards under other law.⁹ Further, a proposed mandate for “American Standard English” proficiency, including tone, idioms, and cultural nuance, introduces a subjective and undefined standard that is neither measurable nor consistently enforceable.

Request for Comment 29.

“Complaints” received by customers of financial institutions can trigger existing consumer protections. Any expansion of FCC authority to all calls covered by sections 47 U.S.C. §§ 227(c) and (d) would interfere with the existing federal and state framework governing consumer disputes. For example, the federal Fair Debt Collection Practices Act requires covered debt collectors to undertake certain activities in response to “disputes,” refusals to pay, or requests to cease communication.¹⁰ Our members who furnish information to credit reporting agencies are also required to respond to disputes received from consumers.¹¹ Similar state and local laws also require responses by our members to “complaints.”¹² In addition, RMAI’s RMCP standard A5 provides that a certified company “shall establish and maintain written Complaint and Dispute resolution policies and procedures, which shall be reviewed annually by legal counsel or the Chief Compliance Officer.”¹³ Certified companies are required to take certain action in response to complaints, including that a certified company “emphasizes polite and friendly interactions with complainants even when a similar respect is not being afforded employees.”¹⁴

Request for Comment 31.

It is our members’ experience that the location of a call center is not a factor in determining consumer satisfaction. Rather, consumer satisfaction is based on many factors more material than location, such as agent training, management, and technology. Further, our experience does not reflect that the geographical location of a service provider, like a call center, is determinative of the quality of data security. As noted above, a comprehensive federal and state regulatory data security framework already exists for financial institutions which imposes data security

⁸ See 6 R.C.N.Y. § 5-77(e)(9); 6 R.C.N.Y. § 2-193(b)(5) and 6 R.C.N.Y. §§ 2-193, 5-77.

⁹ *Id.*

¹⁰ See 15 U.S.C. §§ 1692c(c); 1692g(a)(3)-(5); 1692g(b). See also, 12 C.F.R. §§ 1006.6(c)(1), 1006.38(c), (d)(2)34, 1006.38(d)(2);

¹¹ 12 C.F.R. § 1022.43(a)

¹² Cal. Civ. Code § 1788 et seq.; 6 RCNY § 5-77 et seq. (New York City); 940 CMR 7 (Mass.); Fla. Stat. § 559.55 et seq.; 32 M.R.S. § 11014(1)(C)–(E)(Me.).

¹³ RMAI, *Receivables Management Certification Program* (Ver. 14), *supra*, p. 31.

¹⁴ *Id.*

obligations on our members' use of vendors, like call centers, regardless of a vendor's location.¹⁵ An expansion of FCC authority to all calls covered by sections 47 U.S.C. §§ 227(c) and (d) would interfere and, perhaps, even contradict the existing federal and state framework governing financial institution data security. An RMAI member reports that "strict supervision and 100% call recording ensure compliance—not the agent's geographic location or regional accent." Further, we are not aware of data supporting the Commission's conclusion that onshore call centers provide greater data security protections than offshore call centers. In fact, mandating the relocation of call center operations to domestic entities can very well increase data privacy risks, as domestic call centers with no experiencing servicing financial institutions may offer lower data privacy compliance experience than foreign call centers who have been subject to extensive data security oversight by financial institutions for some time.

Request for Comment 32.

Our members believe that any limit on the percentage of customer service calls that providers may make from or answer at foreign call centers will increase operating costs, and those costs will be directly passed through to consumers. It is our members' experience that labor costs for U.S.-based call centers are materially higher than for common offshore locations (e.g., India, Philippines, Latin America). Businesses, particularly small businesses, using foreign call centers rely on these savings to keep prices competitive. A rule that requires onshoring effectively operates as a regulatory price increase, forcing companies to raise prices, fees, or interest rates to offset higher labor costs. Ultimately, this cost pass-through tends to be regressive and disproportionately affects low-income consumers by reducing affordability. Consumers currently benefit from lower service costs enabled by global labor markets. We believe policies that raise operating costs without improving core service outcomes function as a regressive tax on basic services.

Request for Comment 36.

RMAI members that are "debt collectors" are already subject to federal, state, and local regulation of the content and frequency of covered debt collection calls.¹⁶ It is impermissible for the Commission to regulate communications under a "content-based" standard, such as whether the communication is debt collection, absent a compelling governmental interest, which is absent here.¹⁷ Further, any regulation by the Commission to all calls covered by sections 47 U.S.C. §§

¹⁵ See notes 1 and 2 above.

¹⁶ 15 U.S.C. § 1692d(5) (prohibits "causing a telephone to ring or engaging any person in telephone conversation repeatedly or continuously with intent to annoy, abuse, or harass."); 12 C.F.R. § 1006.14(b)(2)(i)(A)–(B) (presumption of compliance if a debt collector places calls "[n]either ... [m]ore than seven times within seven consecutive days" nor "within a period of seven consecutive days after having had a telephone conversation."); 12 C.F.R. § 1006.14(a) (prohibits conduct whose "natural consequence" is harassment is prohibited across all media.); 12 C.F.R. § 1006.14(b)(1) (A collector must not place calls "repeatedly or continuously with intent to annoy, abuse, or harass."); 940 C.M.R. 7.04(1)(f) (prohibits debt-collection calls "in excess of two... communications in each seven-day period" to a debtor's residence or personal phone, for each debt.); 6 RCNY § 5-77 (as amended, eff. Sep. 1, 2026) (no more than three debt collection communications in a seven day period); 32 M.R.S. § 11013.

¹⁷ See, e.g. *Reed v. Town of Gilbert*, 576 U.S. 155 (2015).

227(c) and (d) would interfere and likely disrupt our members' existing tested compliance systems developed to conform with existing federal and state laws, which would increase the risk of consumer harm. The Commission has provided no data demonstrating that calls at foreign call centers pose any risk of harm beyond that posed by domestic call centers or that such a restriction serves a compelling governmental interest.

Request for Comment 37.

Any rule should exempt communications made by or on behalf of a “financial institution” which is engaging in financial activities as described in 15 U.S.C. § 6801, *et seq.*, regulations promulgated thereunder, or any successor provision, and are conducted in compliance with applicable federal privacy, data security, or customer communication requirements.

Requests for Comment 38 through 45 (consumer disclosure in general).

In the context of consumer debt collection, federal, state, and even local consumer disclosures are required in nearly all communications. For example, a consumer debt collector communicating with a resident of New York City is required to provide federal, state and New York City disclosures in each communication in connection with the collection of a consumer debt.¹⁸ These existing disclosure requirements create multi-layered, obtuse and often inconsistent disclosures that several authorities have concluded confuse consumers and diminish the effectiveness of disclosures as a whole, possibly causing greater consumer harm.¹⁹ For example, adding offshore call center disclosures could lead a consumer to lose focus on the federal, state and local debt collection disclosures, forfeiting certain rights. Further disclosures only exacerbate the existing consumer harm caused by the myriad of confusing disclosure mandates.

Request for Comment 39.

RMAI incorporates its response to Request for Comment 31, as if set forth at length.

Request for Comment 40.

RMAI incorporates its response to Request for Comment 31, as if set forth at length.

Request for Comment 41.

¹⁸ 15 U.S.C. §§ 1692g(a)(1)–(5), 1692e(11); N.Y. Gen. Bus. Law § 601-a; 23 N.Y.C.R.R. §§ 1.2(a), 1.2(b), 1.3, 1.4, 1.6; 6 RCNY §§ 5-77(a)(1), 5-77(f)(6)–(7).

¹⁹ Lu Xian et al., *Layered, Overlapping, and Inconsistent: A Large-Scale Analysis of the Multiple Privacy Policies and Controls of U.S. Banks*, arXiv:2507.05415 (2025) (finding that 45.2% of large U.S. banks provide multiple privacy policies and that 53.8% of those contain inconsistent representations regarding data sharing practices), available at <https://arxiv.org/pdf/2507.05415v1>, archived at <https://perma.cc/C2HD-NAGC>; Alejandro Bernales, Marcela Valenzuela & İlknur Zer, *Effects of Information Overload on Financial Markets: How Much Is Too Much?*, Int'l Fin. Discussion Papers No. 1372 (Fed. Reserve Bd. Mar. 2023) (finding that information overload impairs decision accuracy and increases risk and uncertainty due to investors' limited attention) available at <https://www.federalreserve.gov/econres/ifdp/files/ifdp1372.pdf>, archived at <https://perma.cc/YX78-RQSS>.

“Zero wait time” transfers, in our members’ experience, is mathematically impossible during peak surges or disasters. Such a rule effectively creates a “de facto” ban on offshore centers.

Request for Comment 42.

As noted in our response to Request for Comment 31, it is our members’ experience that the location of a call center is not a factor in determining consumer satisfaction. As we have pointed out, there exists a comprehensive federal and state regulatory framework covering financial institutions that imposes data security obligations on our members’ use of vendors, like call centers, regardless of a vendor’s location. We are not aware of data supporting the Commission’s conclusion that onshore call centers provide greater data security protections than offshore call centers, particularly when those offshore call centers have been subject to oversight by financial institutions mandated by federal and state law.

Request for Comment 43.

RMAI incorporates its response to Request for Comment 41, as if set forth at length. Any transfer regulation should not impose a time limit or mandate that a domestic representative be available to answer the transferred call.

Requests for Comment 58 and 59.

The Telephone Consumer Protection Act (“TCPA”), 47 U.S.C. § 227, does not authorize the Commission to regulate offshore call centers. None of the prohibitions Congress enumerated in Section 227(b)(1) can be reasonably interpreted as granting authority to regulate the location from which covered communications can be made. Further, because the TCPA contains a private right of action,²⁰ we are concerned that this “backdoor” expansion of the TCPA will fuel frivolous litigation from the trial bar. Abusive TCPA litigation, including cases where plaintiffs have pursued claims despite fundamental factual defects—such as the absence of a prerecorded call or reliance on incorrect phone numbers—has been well documented.²¹

Response to Initial Regulatory Flexibility Analysis (IRFA).

The NPRM fails to comply with the requirements of the Regulatory Flexibility Act (“RFA”), as amended by the Small Business Regulatory Enforcement Fairness Act (“SBREFA”), because it does not adequately identify or consider the impact of its proposals on small entities; particularly small financial institutions, debt buyers, collection agencies, and their vendors, including members RMAI.

²⁰ 47 U.S.C. § 227(b)(3).

²¹ See, e.g., *Healthcare, Inc. v. Doyle*, 2025 WL 1094309 (D. Ariz. Apr. 11, 2025); *Dobronski v. 1-800-Law-Firm*, 2025 WL 1386024 (E.D. Mich. Apr. 17, 2025).

The Commission expressly seeks comment on whether to extend aspects of the proposed rules beyond traditional communications providers to encompass all calls subject to the TCPA. Under SBREFA, an agency must, prior to issuing a proposed rule, meaningfully evaluate the proposed rule's impact on small entities and identify the classes of small businesses that will be affected.²² This obligation includes identifying representative small entities, collecting their input, and incorporating that analysis into the rulemaking process through an Initial Regulatory Flexibility Analysis ("IRFA"). The Commission has not satisfied these obligations. The NPRM fails to identify, categorize, or analyze a critical class of affected entities: the many small entities whose communications are covered by the TCPA including, not limited to small debt buyers, collection agencies, law firms and other service providers supporting receivables management.

This omission is material. The majority of RMAI members are small businesses within the Small Business Administration's (SBA) small business threshold. Most of its debt buyer members have annual receipts of less than \$47 million. Most of its debt collector members have annual receipts of less than \$19.5 million. Many vendors to debt buyers and debt collectors would also fall within the SBA's small business threshold. To be sure, a substantial portion of the receivables management industry consists of small entities, many of which fall below the SBA's size thresholds.²³ These entities regularly use third-party vendors, call centers, and communications platforms that could be directly or indirectly regulated under the Commission's proposals. The NPRM ignores these small entities; and does not recognize them as a distinct affected class, evaluate the economic or operational impact on them, or consider alternatives that would minimize burdens on these small businesses.

Because the NPRM does not identify these small entities, it necessarily fails to conduct a meaningful IRFA as required by 5 U.S.C. § 603. Such an IRFA would include a description of the small entities whose calls are covered by sections 47 U.S.C. §§ 227(c) and (d) and that originate outside the United States; an estimate of the number of such entities; a description of projected reporting, recordkeeping, and compliance requirements; and significant alternatives designed to minimize economic impact. In particular, the NPRM omits any estimate of the number of small entities in the receivables management ecosystem as well as any analysis of compliance costs associated with offshore restrictions, disclosure requirements, or data localization provisions. The NPRM does not provide any discussion of whether less burdensome alternatives could achieve the Commission's objectives.

This deficiency is especially significant because the NPRM contemplates requirements, such as call center localization, disclosure mandates, and data handling restrictions, that would disproportionately impose substantial operational costs on small entities.

²² 5 U.S.C. §§ 603, 609.

²³ See U.S. Small Business Administration, Table of Small Business Size Standards Matched to North American Industry Classification System Codes, Effective March 17, 2023, available at https://www.sba.gov/sites/default/files/2023-06/Table%20of%20Size%20Standards_Effective%20March%2017%2C%202023%20%282%29.pdf, archived at <https://perma.cc/7MK3-UCQA>. Debt buyers have a NAICS classification code of 522299, collection agencies 561440

The Commission’s request for comment on extending the proposed rules to “all calls covered by the TCPA, whether or not placed by communications service providers” underscores the SBREFA defect. If implemented, such an expansion would not only extend the rule well beyond regulated carriers, but would capture many small businesses, including those financial institutions identified in 15 U.S.C. § 6809(3), which the Federal Trade Commission describes as a broad range of entities including, but not limited to, “mortgage lenders, payday lenders, finance companies, mortgage brokers, account servicers, check cashers, wire transferors, collection agencies, credit counselors and other financial advisors, tax preparation firms, non-federally insured credit unions, and investment advisors that aren’t required to register with the SEC.”²⁴

SBREFA requires that agencies evaluate the impact of the rule as proposed, including reasonably foreseeable expansions of scope under consideration. The Commission cannot defer this analysis while simultaneously soliciting comment on a materially broader regulatory framework.

The Commission’s failure to identify and analyze affected small entities deprives those entities of the opportunity for meaningful participation in the rulemaking process. RMAI members believe that any expansion of the proposed rules to calls covered by sections 47 U.S.C. §§ 227(c) and (d) that originate outside the United States will disproportionately adversely impact small entities. Large entities can absorb higher labor costs or vertically integrate a domestic call center mandate, but smaller RMAI members rely heavily on outsourced global services to remain competitive. Thus, such an expansion would entrench large incumbents and disadvantage smaller competitors, leading to less competition and ultimately higher prices for consumers.

By failing to identify small RMAI member entities as affected parties, the Commission has effectively excluded a significant segment of the regulated community from the SBREFA process.

We welcome the opportunity to continue this discussion with the Commission and to collaborate on practical solutions that enhance both consumer protection and the integrity of the credit system. If RMAI can be of any assistance, elaborate on any point contained in our response, or answer any questions you may have, please do not hesitate to contact me at (916) 482-2462 or mbecker@rmaintl.org.

Respectfully Submitted,

Michael Becker

Mike Becker
RMAI Executive Director

²⁴ Federal Trade Commission, *FTC Safeguards Rule: What Your Business Needs to Know*, Dec. 2024, available at <https://www.ftc.gov/business-guidance/resources/ftc-safeguards-rule-what-your-business-needs-know>, archived at <https://perma.cc/L9SU-3KV5>.