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ALERT

FCC First: National Security Cited for Removal from Robocall Mitigation Database

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On December 8, 2025, the Federal Communications Commission's (FCC or Commission) Enforcement Bureau (Bureau) issued orders to three Chinese telecommunications providers—China Unicom (Hong Kong) Operations Limited (CUHK), China Mobile Hong Kong Company Limited (CMHK), and China Telecom Global Limited (CTG)—directing them to cure deficiencies in their Robocall Mitigation Database (RMD) certifications and explain why their inclusion in the RMD is not contrary to the public interest. In a first-of-its-kind shift from prior enforcement actions, the Bureau cited national security concerns as a basis for RMD removal.

Consistent with Previous Orders, The Bureau Cites to Deficient Robocall Mitigation Plans

On previous occasions, the Bureau has initiated enforcement actions against voice service providers seeking their removal from the RMD. For example, earlier this year, the Commission issued a final order removing 1,200 voice service providers from the RMD. The order explained that although the providers removed from the RMD had transmitted suspected illegal robocall traffic, they were removed from the RMD due to violations of RMD *filing* obligations. Removal from the RMD has serious consequences, as it effectively disconnects a provider from the U.S. market since other voice service providers can only accept traffic from providers listed in the RMD.

As required by the FCC's rules, however, the Bureau provides targeted providers with notice and an opportunity to cure their deficiencies. In this instance, the Bureau orders explain that all three companies failed to update their certifications with information required by a March 2023 Sixth Report and Order that significantly

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Telecom, Media & Technology

The Telephone Consumer Protection Act (TCPA)

expanded the information required in Robocall Mitigation Plans (RMPs) and RMD filings.

First-of-Its-Kind Enforcement Action: National Security May Trigger RMD Removal

Although the FCC has previously directed large numbers of voice service providers to cure deficiencies in their RMD certifications or face removal, it has *never* relied on national security concerns as a basis for removal, nor has it required providers to explain why their inclusion in the RMD serves the public interest. The three orders explain that CUHK, CMHK, and CTG pose national security risks and are vulnerable to "exploitation, influence, and control" by the Chinese government due to indirect ownership by Chinese state-owned enterprises. The Bureau's three orders also notes that, due to national security concerns, the Commission previously: (1) revoked the domestic and international section 214 authority for wholly owned subsidiaries of CUHK; (2) added the application for section 214 authorization for the parent company of CMHK to the FCC's Covered List; and (3) revoked domestic and international section 214 authority for another company owned by the same parent company as CTG.

Notably, the Bureau states that even if the companies cure their deficient RMD certification, "removal may still be warranted if the Compan[ies] cannot offer convincing evidence that its presence in the RMD is not a threat to national security and is in the public interest." While the full impact of these orders remains to be seen, this new precedent could have broad implications. As just one example, the Aspen Institute recently issued a report which concluded that the "epidemic of fraud is a multi-pronged threat to national security."

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Wiley's Telecom, Media & Technology Practice has a deep and experienced robocalling bench, and our attorneys handle federal and state policy issues, compliance with federal and state requirements, and complex TCPA issues. This would be a first-of-its-kind RMD filing enforcement action based on national security concerns and shows the Commission's continued interest in protecting U.S. networks through rigorous robocall enforcement. Companies should take care to immediately vet providers in their call chain and ensure that they are compliant with the FCC's robocalling rules. For more information about compliance following this action or compliance with the Commission's robocalling rules going forward, please contact one of the authors listed on this alert.