

Congress of the United States

Washington, DC 20515

July 1, 2025

Ambassador Jamieson Greer
U.S. Trade Representative
Office of the U.S. Trade Representative
600 17th St., NW
Washington, DC 20508

The Honorable Scott Bessent
Secretary of the Treasury
U.S. Department of Treasury
1500 Pennsylvania Ave, NW
Washington, DC 20220

The Honorable Howard Lutnick
Secretary of Commerce
U.S. Department of Commerce
1401 Constitution Ave., N.W.
Washington, DC 20230

Ambassador Greer, Secretary Bessent, and Secretary Lutnick:

We write to express our support for the Trump administration's ongoing trade negotiations. As you know, Korea is a critically important geopolitical ally, a key player in our Indo-Pacific economic strategy, and among our most significant trading partners, in part thanks to the U.S.-Korea Free Trade Agreement. As broader negotiations with Korea continue, we urge the administration to address remaining barriers Korea imposes on U.S. companies. Doing so could further level the playing field for American exporters, strengthen supply chains, and support continued bilateral investments, to the benefit of American industry, consumers, and workers.

One barrier that we urge you to address in any negotiations is proposed legislation advanced by the Korea Fair Trade Commission (KFTC) and embraced by the new Lee Jae-myung government which disproportionately targets U.S. digital companies for heightened regulatory requirements. The legislation mirrors the European Union's blatantly discriminatory Digital Markets Act and would impose disparate legal and enforcement standards designed to undermine innovative business models and disadvantage successful American companies. The adverse treatment includes mandating the disclosure of proprietary algorithms, restricting offers of discounted pricing for additional services in a digital ecosystem, and granting the KFTC cease-and-desist powers that would enable the Korean government to halt a company's operations at the very start of an investigation—without any required showing of anticompetitive conduct.

This legislation would also advance the interests of the Chinese Communist Party (CCP) by disproportionately targeting American companies while exempting major Chinese digital giants like ByteDance, Alibaba and Temu. Allowing these companies to operate free from the regulatory burdens imposed on their U.S. competitors would substantially increase threats related to data security, disinformation, economic coercion, and espionage stemming from the CCP's influence over such Chinese tech giants.

Additionally, Korea has long used competition law to advance protectionist aims and promote discriminatory policy outcomes. In recent years, the KFTC has been the primary mechanism to accomplish these ends. In some cases, this has led to targeting U.S. companies with dawn office raids,

hyper-aggressive enforcement measures, and threats of criminal prosecution for common industry practices that are not considered criminal in any other country. Such excessive and arbitrary competition law enforcement not only leads to unjustified investigations and unwarranted penalties but also greatly constrains U.S. business operations in the Korean market.

As Members of Congress focused on ensuring America leads the world in fair trade, we are encouraged that the administration is focused on eliminating foreign discrimination against U.S. workers and businesses in ongoing negotiations. We look forward to working with you to address Korea's targeted online platform legislation and the KFTC's regulatory overreach.

Sincerely,



Adrian Smith
Member of Congress



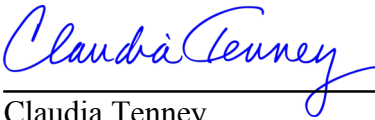
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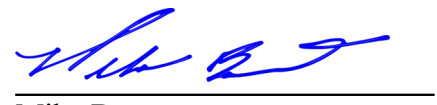
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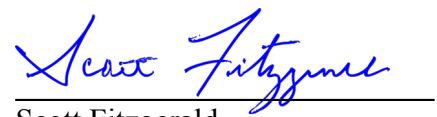
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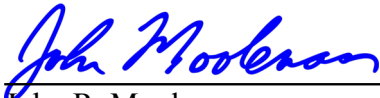
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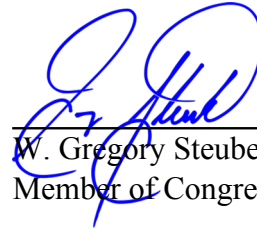
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