



August 18, 2025

***Via electronic mail***

The Honorable Howard Lutnick  
Secretary of Commerce  
Washington, D.C.

Dear Secretary Lutnick:

As the Trump Administration seeks to finalize the range of trade agreements it has initiated with key trade partners, the undersigned trade associations would like to underscore the importance of commercially meaningful outcomes addressing longstanding market access issues in Korea—a nation critically important both as an ally and a market for our members, and one with longstanding trade barriers, particularly in the digital services arena. Industry has been greatly encouraged by the engagement between our two countries over the past several months and greatly appreciative of consultations with stakeholders on the nature of the barriers they face.

However, we remain concerned by the absence to date of concrete commitments from Korea to address digital service impediments. These impediments include:

- Proposed platform laws (such as the Online Platform Monopoly Act, the Platform Fairness Act, and related bills) that would disproportionately impact U.S. firms, and in many cases put U.S. firms at a disadvantage to other competitors, both those based in Korea and in third countries, including China;

- Discriminatory limitations on U.S. maps providers and geospatial data export prohibitions;
- Discriminatory cybersecurity certifications and mandated network segregation requirements that effectively lock out U.S. cloud service suppliers from Korea's public procurement and limit cloud usage in the financial service sector;
- Mandated data localization, including for reinsurers; and
- An EU-inspired AI Act that would put significant restrictions and obligations on American AI models and services.

The joint summit between President Trump and President Lee Jae Myung on August 25 provides a critical opportunity to chart a clear course for removing barriers that can unlock significant market access for U.S. companies and build the foundation for a more balanced trade relationship. We urge you to ensure that this opportunity is not lost.

As evidenced in the 2025 National Trade Estimate published by the Office of the United States Trade Representative and a recent Congressional letter signed by 43 House Republicans,<sup>1</sup> both the quantity and impact of digital barriers on U.S. firms in the Korean market are noteworthy. This is particularly true for companies offering digital products and services, which face intense competition from successful Korean firms and a government that regularly intervenes in the market at the expense of U.S. firms.

For the Trump Administration to set this relationship on a more productive and mutually beneficial path, we look to the upcoming summit to publicly memorialize an agreement that includes the following outcomes:

- A commitment to avoid singling out firms on the basis of arbitrary thresholds and company-specific constraints to address speculative harms, including those laid out in platform regulation bills and platform transaction fairness bills. Industry estimates that Korea's proposed platform regulation bills would impact \$109 billion in total market revenues for U.S. companies;<sup>2</sup>

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<sup>1</sup> <https://adriansmith.house.gov/media/press-releases/smith-miller-ask-trump-administration-address-digital-trade-barriers-south>

<sup>2</sup> <https://x.com/ccianet/status/1947666086788292955>

- A commitment to ensure that the Korea Fair Trade Commission (KFTC) does not unduly target or disproportionately disadvantage U.S. companies and interests, through adoption of binding provisions (e.g., modelled on USMCA);<sup>3</sup>
- A commitment to allow U.S. firms to provide the full range of mapping services in the Korean market, including by enabling U.S. firms to export detailed map data and provide competitive location-based services to Korean consumers, businesses, and foreign visitors. Korea is the only major U.S. ally that blocks American maps providers;
- A commitment to ensure that Korea will not maintain cybersecurity certification requirements and network segregation requirements that preclude U.S. firms from accessing a majority of its public sector market and restrict use of cloud services in the financial sector;
- A commitment to eliminate sector-specific data localization requirements, including for reinsurers, including by recognizing U.S. regulatory safeguards; and
- A commitment to delay the implementation or enforcement of the AI Act, and to have more extensive consultations with U.S. companies to ensure that implementing guidelines and rules are risk-based and will allow U.S. companies to export the full AI tech stack to Korea in line with the U.S.'s recent AI Action Plan.

Addressing these key impediments would significantly improve the opportunities for U.S. firms to compete in the Korean market, offer world-class services to Korean consumers and companies, and help rebalance the bilateral trading relationship. We look forward to working with you to achieve these goals.

#### Undersigned Organizations

ACT | The App Association  
 Coalition of Services Industries (CSI)  
 Computer and Communications Industry Association (CCIA)  
 National Foreign Trade Council (NFTC)  
 Software & Information Industry Association (SIIA)  
 U.S. Chamber of Commerce

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<sup>3</sup> <https://www.nbr.org/publication/safeguarding-u-s-companies-from-unfair-south-korean-competition-policies/>

cc: William Kimmitt, Under Secretary of Commerce for International Trade  
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