

119TH CONGRESS
1ST SESSION

H. R. 3193

To authorize the appropriate administrative authorities to impose certain restrictions with respect to the Republic of Korea, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 5, 2025

Mrs. MILLER of West Virginia (for herself, Mr. MILLER of Ohio, Mr. YAKYM, and Mr. VICENTE GONZALEZ of Texas) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To authorize the appropriate administrative authorities to impose certain restrictions with respect to the Republic of Korea, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “United States-Republic
5 of Korea Digital Trade Enforcement Act”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

8 (1) The United States and the Republic of
9 Korea have a longstanding, strategically important

1 economic and security partnership and are com-
2 mitted to furthering their leadership in the Indo-Pa-
3 cific region.

4 (2) Nearly 30,000 United States soldiers, sail-
5 ors, airmen, guardians, and marines are stationed in
6 South Korea as part of United States Forces Korea,
7 a deterring force against North Korea and China
8 and ensuring the security of all Koreans.

9 (3) The economic relationship between the
10 United States and South Korea is underpinned by
11 the United States-Korea Free Trade Agreement,
12 which promotes reciprocal trade ties between the
13 countries.

14 (4) South Korean companies have substantially
15 increased investment into the United States due to
16 the open investment climate maintained by the
17 United States Government. However, the policies of
18 the Government of South Korea often make it dif-
19 ficult for United States companies to invest and ex-
20 pand their business footprint in South Korea.

21 (5) In 2023, the United States trade deficit
22 with South Korea was \$51,100,000,000, increasing
23 by 16 percent from 2022, due in part to South Ko-
24 rea's discriminatory economic policies.

1 (6) South Korea is considering additional dis-
2 criminatory digital regulations that would unduly
3 burden United States businesses while benefitting
4 Chinese technology companies.

5 (7) Targeted enforcement measures, including
6 office raids and threats of prosecution, risk pro-
7 voking unnecessary friction with the United States
8 when both countries should be working to strengthen
9 this critically important economic and security alli-
10 ance.

11 (8) The United States must ensure a fair and
12 nondiscriminatory regulatory environment and strict-
13 ly enforce obligations to not establish discriminatory
14 digital trade policies around the world.

15 **SEC. 3. STATEMENT OF POLICY.**

16 It is the policy of the United States that—

17 (1) as the Chinese Communist Party seeks to
18 extend its economic and military influence in the
19 Indo-Pacific region, fair trade and economic policies
20 in the Indo-Pacific are vitally important to United
21 States leadership;

22 (2) the United States Government should fully
23 enforce the terms set forth in the United States-
24 Korea Free Trade Agreement (as such term is de-

1 fined in the United States-Korea Free Trade Agree-
2 ment Act; 19 U.S.C. 3805 note);

3 (3) the United States Government should also
4 use enforcement tools such as the authorities pro-
5 vided by section 301 of the Trade Act of 1974 (19
6 U.S.C. 2411; relating to actions by the United
7 States Trade Representative) where necessary to en-
8 sure that foreign countries do not impose discrimi-
9 natory digital policies that disfavor United States
10 companies; and

11 (4) the United States Government should also
12 use enforcement tools such as the authorities pro-
13 vided by section 301 of the Trade Act of 1974 (19
14 U.S.C. 2411; relating to actions by the United
15 States Trade Representative) where necessary to en-
16 sure that foreign countries do not use targeted en-
17 forcement measures, including office raids and
18 threats of prosecution that discriminate against or
19 unfairly disadvantage United States firms.

20 **SEC. 4. DETERMINATION OF DISCRIMINATORY ECONOMIC**
21 **ACTIONS AGAINST UNITED STATES PRIVATE**
22 **ENTITIES.**

23 Not later than 30 days after the enactment of any
24 law or promulgation of any regulation by a government
25 entity of the Republic of Korea that predesignates or post-

1 estimates a United States online or digital platform oper-
2 ator and imposes discriminatory business restrictions, the
3 United States Trade Representative shall submit a report
4 to Congress that, includes—

5 (1) a determination whether a United States
6 private entity was negatively impacted by an action
7 of any government entity of South Korea that pre-
8 designates or post-estimates a United States online
9 or digital platform operator and imposes business re-
10 strictions;

11 (2) a determination whether South Korea, by
12 adopting the law or regulation that is the subject of
13 the report, violates any obligations or denies any
14 rights under bilateral or multilateral trade agree-
15 ments with respect to the United States; and

16 (3) a determination whether the law or regula-
17 tion that is the subject of the report is either—

18 (A) an unjustifiable action that burdens or
19 restricts United States commerce, as such term
20 is defined for purposes of section 301(a) of the
21 Trade Act of 1974 (19 U.S.C. 2411(a)); or

22 (B) an unreasonable or discriminatory ac-
23 tion that burdens or restricts United States
24 commerce, as such term is defined for purposes

1 of section 301(b) of such Act (19 U.S.C.
2 2411(b)).

3 **SEC. 5. IMPOSITION OF TRADE RESTRICTIONS.**

4 Upon the submission of a report to Congress pursu-
5 ant to section 4 that includes an affirmative determination
6 described in any of paragraphs (1) through (3) of that
7 section, the United States Trade Representative shall un-
8 dertake measures to protect United States commerce
9 abroad that may include the following:

10 (1) A dispute initiated under the terms of the
11 World Trade Organization's Dispute Settlement Un-
12 derstanding.

13 (2) An investigation under the authorities of
14 section 301 of the Trade Act of 1974 (19 U.S.C.
15 2411).

16 (3) A dispute under the provisions of the
17 United States-Korea Free Trade Agreement.

18 (4) Entering into an agreement with South
19 Korea to mitigate all impacts of the law or regula-
20 tion with respect to which the report was submitted
21 on United States private entities.

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