

ONE HUNDRED NINETEENTH CONGRESS

Congress of the United States
House of Representatives

COMMITTEE ON THE JUDICIARY

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February 5, 2026

Mr. Harold Rogers
Chief Administrative Officer & General Counsel
Coupang, Inc.
720 Olive Way, Suite 600
Seattle, WA 98101

Dear Mr. Rogers:

Pursuant to the Rules of the House of Representatives, the Committee on the Judiciary has jurisdiction to conduct oversight of matters concerning the “protection of trade and commerce against unlawful restraints and monopoly” to inform potential legislative reforms.¹ The Committee is conducting oversight of how and to what extent foreign laws, regulations, and judicial orders are being used to discriminate against innovative American companies and infringe on the rights of U.S. citizens. The Committee has previously expressed concerns about the Korea Fair Trade Commission (KFTC) and its efforts to target innovative American companies and subject them to punitive obligations, excessive fines, and discriminatory enforcement practices in order to protect their Korean rivals from competition.² Over the past few months, the KFTC and other agencies within the Korean government have escalated their discriminatory attacks on American technology companies, including by threatening U.S. citizens with criminal charges.³ To develop effective legislation, including new laws protecting American companies and citizens from foreign governments’ discriminatory laws and enforcement decisions, the Committee must investigate the extent and nature of these efforts and the effect they have on Americans’ right to due process and U.S. companies’ ability to effectively compete in the global market.

¹ Rules of the House of Representatives R. X (2025).

² See Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, to Mr. Han Ki-jeong, Chairman, Korea Fair Trade Comm’n (July 24, 2025).

³ Nigel Cory, *Understanding the Impact of KFTC Enforcement on U.S. Firms*, NATIONAL BUREAU OF ASIAN RESEARCH (Nov. 12, 2025); Yonhap, *US lawmaker accuses Korean regulators of ‘discriminatory’ actions against Coupang*, KOREA TIMES (Jan. 14, 2026); Hyunjoo Jin & Heejin Kim, *South Korea’s Lee calls for tougher penalties after Coupang data breach*, REUTERS (Dec. 2, 2025); *Coupang announces \$1.18 billion compensation to South Korean users for data leak*, REUTERS (Dec. 29, 2025); *Spy agency requests Natl Assembly to charge Coupang chief over alleged perjury*, KOREA HERALD (Dec. 31, 2025); Yonhap, *FTC chief says business suspension of Coupang possible amid data-breach probe*, KOREA TIMES (Jan. 12, 2026).

In recent years, foreign governments have taken increasingly aggressive actions to punish innovative American companies through the targeted application and enforcement of digital laws and regulations. In 2022, the EU adopted the Digital Markets Act (DMA), giving the European Commission the ability to designate certain companies as “gatekeepers,” impose overly burdensome regulations, and threaten those companies with severe fines and penalties in order to provide their European competitors with an advantage.⁴ Six of the seven businesses that the Commission has designated as gatekeepers are American-owned companies, and comments made by European policymakers show that the DMA was specifically designed to remedy Europe’s economic downturn by weaponizing these regulations against American companies to the benefit of European rivals.⁵ Foreign efforts to attack innovative American businesses hurt consumers and small businesses,⁶ stifle innovation,⁷ and benefit companies that have close ties to the People’s Republic of China.⁸

South Korea also has a long history of using antitrust laws and digital regulations to target American-owned businesses.⁹ In fact, the KFTC “stands out for the scale and nature of its enforcement actions against U.S. firms . . . [e]ven when compared with other active regulators, such as the EU Directorate-General for Competition.”¹⁰

⁴ See Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, to Teresa Ribera, Exec. Vice-President for a Clean, Just, & Competitive Transition, European Comm’n (Feb. 23, 2025); European Commission, *About the Digital Markets Act* (last visited Jan. 23, 2026); Anu Bradford, *The Brussels Effect*, 107 NW. U. L. REV. 1 (2015); Makenzie Holland, *Trump Takes Issue with EU Actions Against U.S. Big Tech*, TECHTARGET (Jan. 23, 2025).

⁵ European Commission, *Gatekeepers* (last visited Jan. 23, 2026); Javier Espinoza, *EU should focus on top 5 tech companies, says leading MEP*, FINANCIAL TIMES (May 30, 2021); Dita Charanzová, *Turning Europe’s internet into a ‘walled garden’ is the wrong path to take*, FINANCIAL TIMES (Feb. 17, 2021); *Europe is now a corporate also-ran. Can it recover its footing?*, THE ECONOMIST (June 5, 2021); Mario Draghi, *The Future of European Competitiveness Part B | In-depth analysis and recommendations*, EUROPEAN COMMISSION 302 (Sept. 2024); Federico Steinberg & Max Bergmann, *The Draghi Report: A Strategy to Reform the European Economic Model*, CENTER FOR STRATEGIC & INTERNATIONAL STUDIES (Oct. 2, 2024).

⁶ Chris Comstock, *What The Digital Markets Act Means To US Brands and Consumers*, AD EXCHANGER (July 19, 2022); Kati Suominen, *New Costs and Cybersecurity Challenges Flagged as DMA Compliance Starts*, CENTER FOR STRATEGIC & INTERNATIONAL STUDIES (Mar. 22, 2024).

⁷ Geoffrey A. Manne, et al., *Regulate For What? A Closer Look At The Rationale And Goals Of Digital Competition Regulations*, INTERNATIONAL CENTER FOR LAW & ECONOMICS (Aug. 19, 2024); Lilla Nóra Kiss, *Six Ways the DMA Is Backfiring on Europe by Harming Users, Innovation, and Allies*, ITIF (June 30, 2025).

⁸ Regulation (EU) 2022/1925 of the European Parliament and of the Council of 14 September 2022 on contestable and fair markets in the digital sector and amending Directives (EU) 2019/1937 and (EU) 2020/1828 (Digital Markets Act), 2022 O.J. (L 265), Art. 6(10)-(11); Doug Kelly, *How Europe’s Digital Markets Act Undermines American Tech Leadership and Helps China*, AMERICAN EDGE PROJECT (Sep. 6, 2023); Saxby Chambliss & Kent Conrad, *Europe’s Digital Markets Act: A cautionary tale for U.S. policymakers*, ROLL CALL (Oct. 5, 2023); Robert C. O’Brien & Shigeru Kitamura, *The EU’s Digital Markets Act is a Gift to China*, NATIONAL INTEREST (Mar. 28, 2024); Björn Lundqvist, *Reining in the Gatekeepers and Opening the Door to Security Risks*, CEPA (Mar. 30, 2023).

⁹ Nigel Cory, *Understanding the Impact of KFTC Enforcement on U.S. Firms*, NATIONAL BUREAU OF ASIAN RESEARCH (Nov. 12, 2025); see also Nigel Cory & Robert Holleyman, *Safeguarding U.S. Companies from Unfair South Korean Competition Policies*, NATIONAL BUREAU OF ASIAN RESEARCH (June 12, 2025).

¹⁰ *Id.*

On July 24, 2025, the Committee sent a letter to the KFTC raising concerns about its efforts to advance legislation modeled on the DMA.¹¹ This legislation would allow the KFTC to discriminate against American companies by subjecting them to burdensome regulatory obligations, massive fines, and discriminatory enforcement.¹² As the National Bureau of Asian Research has noted, it is “clear that U.S. firms are the ones South Korea seeks to target,” as “the KFTC exempts smaller firms and, in effect, Chinese rivals.”¹³

The Trump Administration has explicitly stated that it will not tolerate foreign efforts to go after digital service providers “that are more burdensome and restrictive on United States companies than their own domestic companies.”¹⁴ The Administration has explained that it “will not allow American companies and workers and American economic and national security interests to be compromised by one-sided, anti-competitive policies and practices of foreign governments.”¹⁵ The Trump Administration’s recent trade agreement with South Korea specifically provides that it must “ensure that U.S. companies are not discriminated against and do not face unnecessary barriers in terms of laws and policies concerning digital services, including . . . online platform regulations.”¹⁶

Despite this trade agreement, the Korean government has continued to engage in targeted attacks on American-owned businesses. Korean regulators and enforcement agencies, including the KFTC, have repeatedly subjected an innovative American e-commerce company, Coupang, Inc. (Coupang), to discriminatory treatment, unfair enforcement practices, and even the threat of criminal penalties.¹⁷ For example, after a disgruntled former Coupang employee stole nonsensitive customer information, Korean President Lee Jae Myung called for aggressive penalties and hefty fines against Coupang, and the KFTC has suggested temporarily suspending the company’s business operations.¹⁸ The Korean government called for these punitive actions even as Coupang worked closely with Korea’s National Intelligence Service to quickly recover

¹¹ Park Jae-hyuk, *Next president may lock horns with Trump over online platform laws*, KOREA TIMES (May 29, 2025); Yoon Myeong-jin, *With the completion of the floor leader group... Kim Byeong-gi “Commercial law revision is the first priority”*, DONG-A ILBO (June 16, 2025); Lilla Nóra Kiss, *Why South Korea Should Resist New Digital Platform Laws*, ITIF (Dec. 9, 2024); Nigel Cory & Robert Holleyman, *Safeguarding U.S. Companies from Unfair South Korean Competition Policies*, NATIONAL BUREAU OF ASIAN RESEARCH (June 12, 2025); Andrew Yeo, *South Korea’s Digital Regulation Proposal Sparks U.S. Pushback*, LAWFARE (May 20, 2025); Robert D. Atkinson & Sejin Kim, *South Korean Policy in the Trump and China Era: Broad-Based Technological Innovation, Not Just Export-Led Growth*, ITIF (May 18, 2025); Sejin Kim, *Korea’s “Online Platform Fairness” Bill Risks Becoming a Digital Non-Tariff Barrier*, ITIF (Dec. 22, 2025).

¹² Cory & Holleyman, *supra* note 9.

¹³ *Id.*

¹⁴ WHITE HOUSE, DEFENDING AMERICAN COMPANIES AND INNOVATORS FROM OVERSEAS EXTORTION AND UNFAIR FINES AND PENALTIES (Feb. 21, 2025).

¹⁵ WHITE HOUSE, DEFENDING AMERICAN COMPANIES AND INNOVATORS FROM OVERSEAS EXTORTION AND UNFAIR FINES AND PENALTIES (Feb. 21, 2025).

¹⁶ WHITE HOUSE, JOINT FACT SHEET ON PRESIDENT DONALD J. TRUMP’S MEETING WITH PRESIDENT LEE JAE MYUNG (Nov. 13, 2025).

¹⁷ Cory, *supra* note 3; Yonhap, *supra* note 3; Yonhap, *Nat'l Assembly set to file complaint against head of Coupang's Korean unit over alleged perjury*, KOREA TIMES (Dec. 31, 2025); Lee Min-hyung, *Police mull overseas travel ban on Coupang chief in data breach investigation*, KOREA TIMES (Jan. 12, 2026).

¹⁸ Jin & Kim, *supra* note 3.

the data and has already agreed to compensate users.¹⁹ The Korean government sent 400 investigators across 11 agencies to “conduct[] 150 face-to-face meetings and 200 interviews, with over 1,100 document and material submission requests,” despite the fact that the breach only resulted in limited, non-sensitive information being retained for around 3,000 customers that has since been recovered.²⁰

The targeting of Coupang and the potential prosecution of its American executives serve as a sharp escalation of South Korea’s campaign against innovative American-owned companies and directly conflicts with its recent commitment to avoid discriminatory treatment and the creation of unnecessary barriers for U.S. digital service providers.²¹ To this end, to advance our oversight, we require communications between Coupang and the Korean government regarding the company’s compliance with foreign laws, regulations, judicial orders, or other government-initiated efforts and how these foreign laws affect U.S. companies. We also require that you appear for a deposition with the Committee to answer questions related to the Korean government’s targeting of Coupang and other innovative American companies.

Pursuant to the Rules of the House of Representatives, the Committee on the Judiciary has jurisdiction to conduct oversight of matters concerning the “protection of trade and commerce against unlawful restraints and monopoly” to inform potential legislative reforms.²² To develop effective legislation, including new laws protecting American companies and citizens from the effect of foreign governments’ discriminatory laws and judicial orders, the Committee must first understand how and to what extent foreign laws, regulations, enforcement practices, and judicial orders have limited Americans’ right to due process and hindered U.S. companies’ ability to effectively compete in the global market.

Accordingly, please find attached the subpoenas. Because Coupang is a corporate entity within the Committee’s jurisdiction and in possession of records relevant to our investigation, the Committee is authorized to take this step. The Committee appreciates your compliance.

Sincerely,



Jim Jordan
Chairman



Scott Fitzgerald
Chairman
Subcommittee on the Administrative
State, Regulatory Reform, and
Antitrust

¹⁹ *Id.*; Reuters, *supra* note 3; Korea Herald, *supra* note 3; Yonhap, *supra* note 3.

²⁰ Jasmine Choi, *Coupang CEO Rogers, “Professionalism and cooperation for investigation by 400 officials from 11 agencies”*, BUSINESS KOREA (Jan. 21, 2026); Yonhap, *Coupang says former employee saved data from only 3,000 customers, no external leak*, KOREA TIMES (Dec. 25, 2025).

²¹ WHITE HOUSE, JOINT FACT SHEET ON PRESIDENT DONALD J. TRUMP’S MEETING WITH PRESIDENT LEE JAE MYUNG (Nov. 13, 2025).

²² Rules of the House of Representatives R. X (2025).

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cc: The Honorable Jamie Raskin, Ranking Member

The Honorable Jerrold L. Nadler, Ranking Member
Subcommittee on the Administrative State, Regulatory Reform, and Antitrust

Enclosures