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Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

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August 6, 2026

Mr. Kim Jong-cheol
Chairman
Korea Media and Communications Commission
Government Complex-Gwacheon, Building 2
47 Gwanmun-ro, Gwacheon-si
Gyeonggi-do 13809
Republic of Korea

Dear Chairman Kim:

The Committee on the Judiciary of the U.S. House of Representatives is conducting oversight of how and to what extent foreign laws, regulations, and judicial orders compel, coerce, or influence companies to censor speech in the United States.¹ The Committee has previously expressed concerns about South Korea's discriminatory targeting of American-owned businesses and advancement of legislation explicitly modeled on the European Union's Digital Markets Act.² Recently, South Korea amended its Information and Communications Network Act to give courts the unprecedented power to punish news outlets and social media users for spreading "false or manipulated information" and extract damage awards of up to five times any alleged harm.³ It would also allow the Korea Media and Communications Commission (KMCC) to impose massive fines on news outlets and users that it deems to have spread such

¹ See, e.g., STAFF OF THE H. COMM. ON THE JUDICIARY, 119TH CONG., THE FOREIGN CENSORSHIP THREAT: HOW THE EUROPEAN UNION'S DIGITAL SERVICES ACT COMPELS GLOBAL CENSORSHIP AND INFRINGES ON AMERICAN FREE SPEECH (Comm. Print July 25, 2025); Press Release, H. Comm. on the Judiciary, Chairman Jordan Subpoenas Big Tech for Information on Foreign Censorship of American Speech (Feb. 26, 2025); STAFF OF H. COMM. ON THE JUDICIARY, 119TH CONG., THE FOREIGN CENSORSHIP THREAT, PART II: EUROPE'S DECADE-LONG CAMPAIGN TO CENSOR THE GLOBAL INTERNET AND HOW IT HARMS AMERICAN SPEECH IN THE UNITED STATES (Comm. Print Feb. 3, 2026).

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); STAFF OF THE H. COMM. ON THE JUDICIARY, 119TH CONG., CLOSED FOR COMPETITION: SOUTH KOREA'S DISCRIMINATORY ATTACKS ON AMERICAN-OWNED BUSINESSES (Comm. Print July 1, 2026).

³ Kim Tong-Hyung, *South Korean law targeting 'fake news' takes effect as journalist groups raise concerns*, ASSOC. PRESS (July 7, 2026); *Jeongbo Tongsinmang Yongcheokjin Mit Jeongbo Boho Deunge Gwanhan Beobryul* [Act on Promotion of Information and Communications Network Utilization and Information Protection], Act No. 5858, May 24, 1999, amended by Act No. 20255, Dec. 24, 2025 (S. Kor.).

information.⁴ This amendment serves as a major threat to online speech and expression and would allow the KMCC to punish American companies and their users for exercising their constitutionally protected rights. We respectfully write to express our concerns with South Korea's recent amendment and how it may be used to censor Americans' online speech and expression.

On December 24, 2025, South Korea's National Assembly adopted an amendment to the Information and Communications Network Act, a law that regulates digital communications infrastructure and data usage across South Korea.⁵ The amendment allows courts to punish news outlets and social media users who spread "false or manipulated information."⁶ The amendment went into effect on July 6, 2026, and its stated purpose is to "protect citizens from the harms of illegal and fabricated false information."⁷ However, the amendment does not define "false information" or provide details on how the law can or will be enforced.⁸

The vagueness and lack of clarity around the scope of this amendment raises serious concerns about how it could be used to censor politically disfavored opinions and about its chilling effect on free speech and online expression more generally.⁹ These concerns are made worse by the fact that the amendment allows courts to award damages of up to five times any alleged harm.¹⁰ The amendment also gives the KMCC the ability to impose fines of up to ₩1 billion (or roughly \$656,000) on news outlets and social media users it deems to have spread false or misleading information.¹¹

Furthermore, the amendment is specifically aimed at American companies and was reportedly designed to address "false and manipulated information spread" on American-owned

⁴ *Id.*

⁵ Kim Tong-Hyung, *South Korean law targeting 'fake news' takes effect as journalist groups raise concerns*, ASSOC. PRESS (July 7, 2026); *Jeongbo Tongsinmang Yongcheokjin Mit Jeongbo Boho Deunge Gwanhan Beobryul* [Act on Promotion of Information and Communications Network Utilization and Information Protection], Act No. 5858, May 24, 1999, amended by Act No. 20255, Dec. 24, 2025 (S. Kor.).

⁶ *Id.*

⁷ Jin Yu Young, *South Korea Strengthens Law to Curb Spread of Fake News*, N.Y. TIMES (July 7, 2026).

⁸ *Jeongbo Tongsinmang Yongcheokjin Mit Jeongbo Boho Deunge Gwanhan Beobryul* [Act on Promotion of Information and Communications Network Utilization and Information Protection], Act No. 5858, May 24, 1999, amended by Act No. 20255, Dec. 24, 2025 (S. Kor.); see e.g. Kim Tong-hyung, *South Korean law targeting 'fake news' takes effect as journalists' raise concerns*, ASSOC. PRESS (July 7, 2026); Comput. & Commc'ns Indus. Ass'n, Key Issues with Korea's Amended Network Act and CCIA Recommendations for Improvements (Feb. 2026); Jin Yu Young, *South Korea Strengthens Law to Curb Spread of Fake News*, N.Y. TIMES (July 7, 2026).

⁹ *Jeongbo Tongsinmang Yongcheokjin Mit Jeongbo Boho Deunge Gwanhan Beobryul* [Act on Promotion of Information and Communications Network Utilization and Information Protection], Act No. 5858, May 24, 1999, amended by Act No. 20255, Dec. 24, 2025 (S. Kor.); see e.g. Kim Tong-hyung, *South Korean law targeting 'fake news' takes effect as journalists' raise concerns*, ASSOC. PRESS (July 7, 2026); Comput. & Commc'ns Indus. Ass'n, Key Issues with Korea's Amended Network Act and CCIA Recommendations for Improvements (Feb. 2026); Jin Yu Young, *South Korea Strengthens Law to Curb Spread of Fake News*, N.Y. TIMES (July 7, 2026).

¹⁰ Comput. & Commc'ns Indus. Ass'n, Key Issues with Korea's Amended Network Act and CCIA Recommendations for Improvements (Feb. 2026).

¹¹ Kim Tong-hyung, *South Korean law targeting 'fake news' takes effect as journalist groups raise concerns*, ASSOC. PRESS (July 7, 2026).

platforms like YouTube.¹² The amendment targets “content publisher[s] with over 100,000 subscribers, or a monthly average of 100,000 views,” as well as “large platforms. . . with over a million daily users on average.”¹³ It requires large platforms to “institute formal procedures to respond to complaints, take down offending content, generate transparency reports, and submit to governmental investigations.”¹⁴ The vast majority of online platforms that fall within these criteria, such as Facebook, X, Instagram, and YouTube, are American-owned companies.¹⁵ The KMCC has publicly stated that it will not be providing a grace period for companies to come into compliance with the amended policy.¹⁶ As such, the amendment could force American companies to remove speech that South Korea deems “false or manipulated” or face massive fines and penalties for failing to comply, giving South Korea the ability to coerce American businesses into removing politically disfavored speech, including the speech of American citizens that may be available in South Korea or shared by South Korean users.¹⁷

The Committee has previously documented efforts by foreign regulators to use the threat of false or misleading information to exercise greater control over online expression and censor politically disfavored speech.¹⁸ For example, the Committee highlighted how the European Union (EU) has used the Digital Services Act (DSA) to control online platforms’ global practices and infringe on the speech rights of American citizens.¹⁹ South Korea seems to be following in the EU’s footsteps, adopting legislation modeled directly on the DSA.²⁰ In fact, when the South Korean Democratic Party announced its intent to amend the Information and Communications Network Act to address “false and manipulated information” in September 2025, it specifically

¹² Shin Jee-in, *Democratic Party seeks punitive damages for YouTube fake news*, THE CHOSUN DAILY (Sept. 19, 2025).

¹³ Jin Yu Young, *South Korea Strengthens Law to Curb Spread of Fake News*, N.Y. TIMES (July 7, 2026); Park Jin-wan, *The fine line between policing facts and silencing critics*, THE KOREA TIMES (June 22, 2026).

¹⁴ Comput. & Commc’ns Indus. Ass’n, *Key Issues with Korea’s Amended Network Act and CCIA Recommendations for Improvements* (Feb. 2026); Lee Ok-jin, *South Korea’s ‘Fake News Law’ Sparks Censorship Debate Ahead of Enforcement*, THE CHOSUN DAILY (July 6, 2026).

¹⁵ *Most popular social networks worldwide as of October 2025, by number of monthly active users*, STATISTICA (October 2025).

¹⁶ *Jeongbo Tongsin Mang Riyong Chokjin Mit Jeongbo Boho Deunge Gwanhan Beobryul Sihenfryeong* [Enforcement Decree of the Act on Promotion of Information and Communications Network Utilization and Information Protection], Presidential Decree No. 36220, Mar. 24, 2026 (S. Kor.); Choi Hye-rim, *Committee on Trade and Information Protection to Enforce ‘False Information Act’ Without Grace Period... Also Pushing for Regulations on Youth SNS*, FINANCIAL NEWS (July 16, 2026).

¹⁷ Kim Tong-Hyung, *South Korean law targeting ‘fake news’ takes effect as journalist groups raise concerns*, ASSOC. PRESS (July 7, 2026); *Jeongbo Tongsinmang Yongcheokjin Mit Jeongbo Boho Deunge Gwanhan Beobryul* [Act on Promotion of Information and Communications Network Utilization and Information Protection], Act No. 5858, May 24, 1999, amended by Act No. 20255, Dec. 24, 2025 (S. Kor.).

¹⁸ STAFF OF H. COMM. ON THE JUDICIARY, 119TH CONG., *THE FOREIGN CENSORSHIP THREAT, PART II: EUROPE’S DECADE-LONG CAMPAIGN TO CENSOR THE GLOBAL INTERNET AND HOW IT HARMS AMERICAN SPEECH IN THE UNITED STATES* 93-94 (Comm. Print Feb. 3, 2026).

¹⁹ *Id.*

²⁰ *Compare Jeongbo Tongsinmang Yongcheokjin Mit Jeongbo Boho Deunge Gwanhan Beobryul* [Act on Promotion of Information and Communications Network Utilization and Information Protection], Act No. 5858, May 24, 1999, amended by Act No. 20255, Dec. 24, 2025 (S. Kor.), and Regulation 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and Amending Directive 2000/31/EC (Digital Services Act), 2022 O.J. (L 277) 1.

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said that the goal was to “incorporate a strong punitive damages system and a Korean version of the DSA (Digital Services Act) into the Information and Communications Network Act.”²¹

The Committee is committed to protecting online speech and expression and the rights of American companies and their users. We write to respectfully note our concerns with South Korea’s recent amendment to the Information and Communications Network Act and request a briefing to better understand the KMCC’s approach to enforcing this law. Please arrange for this briefing as soon as possible but no later than 10:00 a.m. ET on August 20, 2026.

Pursuant to the Rules of the House of Representatives, the Committee on the Judiciary has jurisdiction to conduct oversight of matters concerning “civil liberties” to inform potential legislative reforms.²² If you have any questions about this matter, please contact Committee staff at + 1 (202) 225-6906.

Sincerely,



Jim Jordan
Chairman

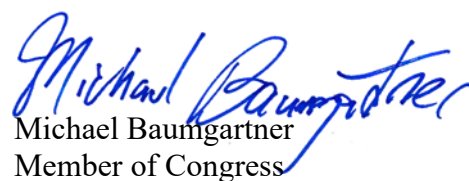


Scott Fitzgerald
Chairman

Subcommittee on the Administrative State,
Regulatory Reform, and Antitrust



Darrell Issa
Chairman
Subcommittee on Courts, Intellectual
Property, Artificial Intelligence, and
the Internet



Michael Baumgartner
Member of Congress

cc: The Honorable Jamie Raskin, Ranking Member

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

The Honorable Henry C. Johnson, Ranking Member, Subcommittee on Courts,
Intellectual Property, Artificial Intelligence, and the Internet

The Honorable Marco Rubio, Secretary of State

²¹ Shin Jee-in, *Democratic Party seeks punitive damages for YouTube fake news*, THE CHOSUN DAILY (Sept. 19, 2025).

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