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Computer & Communications Industry Association

September 15, 2009

Ms. Carmen Suro-Bredie
Chairman, Trade Policy Staff Committee
Office of the United States Trade Representative
600 17th Street, NW
Washington, DC 20208

Re: Request for Comments Regarding Free Trade Agreement with the Republic of Korea (Docket No. USTR-2009-0020)

Dear Ms. Suro-Bredie:

The Computer & Communications Industry Association (CCIA) appreciates the opportunity to submit comments regarding the Free Trade Agreement with the Republic of Korea. CCIA is an international, nonprofit association of computer and communications industry firms, representing a broad cross section of the industry. CCIA is dedicated to preserving full, fair and open competition throughout our industry. Our members employ more than 600,000 workers and generate annual revenues in excess of \$200 billion.

Since CCIA was founded over three decades ago, support for free and open markets has been a core principle of the association. As the leading export industry of the U.S., the high-tech sector in particular benefits greatly from expanded trade. The Republic of Korea is the 10th largest economy in the world, and the seventh largest trading partner of the U.S. The Korea-U.S. FTA would be the second largest FTA (after NAFTA) implemented by the U.S. High tech exports to Korea totaled \$8.9 billion in 2008. An economically meaningful free trade agreement with such an advanced and important trading partner as Korea would be a significant step forward in the promotion of trade with developed nations, perhaps leading to the signing of other agreements with greater economic impact than other recent ones.

The FTA contains provisions that would expand market access and benefit our industry. The electronic commerce provisions include a commitment to nondiscriminatory and duty-free treatment of all digital products, and seek to establish an environment for the further development of e-commerce. The government procurement provisions expand access for U.S. technology firms to bid on Korean government contracts.

CCIA is also pleased with the inclusion, for the first time in any FTA, of the “fair use” doctrine in a footnote in the Copyright article of the agreement’s Intellectual Property Rights chapter. The Fair Use doctrine functions as a safety valve that protects free expression and limits copyright protection in cases where it would undermine important legitimate economic activity. We believe this is a valuable first step toward safeguarding the interests of U.S. firms and end users, and encourage its continued inclusion in future trade agreement texts.

As much of the world continues to struggle in a global recession, it is more important than ever that the U.S., which has historically been the standard-bearer on free trade, continue to lead in pushing for open markets. Any recovery in a global economy must be a global recovery, and free trade is necessary to bring that about. CCIA strongly supports passage and implementation of the Korea-U.S. FTA as a way of demonstrating the U.S. commitment to trade, and its continued engagement with Asia, an increasingly important region for high tech trade.

Sincerely,

A handwritten signature in black ink, appearing to read "E. J. Black". The signature is fluid and cursive, with a large initial "E" and a long, sweeping underline.

Edward J. Black
President & CEO
Computer & Communications Industry Association