

**STATE OF SOUTH DAKOTA
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER 2022-10**

Whereas, Maintaining the cybersecurity of South Dakota state government is necessary to continue to serve South Dakota citizens; and,

Whereas, The social media platform TikTok has more than one billion global users, with over 135 million users in the United States and is owned by Chinese company ByteDance; and,

Whereas, ByteDance may gain control of crucial user information stored on mobile devices through TikTok's broad data collection policies, including internet browsing data, keystrokes, and location information, and FBI Director Christopher Wray warned these practices may be used to influence Americans or control or compromise software on millions of devices; and,

Whereas, The Chinese Communist Party ("CCP") may attain this personal information because ByteDance is headquartered in China and Chinese national security laws compel companies operating in China to share their data with the government upon request; and,

Whereas, ByteDance previously refused to cease this data flow to China despite requests from the United States Committee on Foreign Investment's request to do so and the CCP may use United States user information for sensitive intelligence gathering, intellectual property theft, and other illicit purposes; and,

Whereas, Several government entities, including the United States Military and the Transportation Security Administration, have banned downloading or using the TikTok application or visiting the TikTok website on government-issued devices; Federal Communications Commission officials and a bipartisan coalition of United States Senators support a complete ban on TikTok due to its unique national security risks; and,

Whereas, Permitting the downloading or use of the TikTok application or visiting the TikTok website on government issued cellphones, laptops, or any other device capable of internet connectivity would be contrary to the interest of the State of South Dakota:

NOW, THEREFORE, I, Kristi Noem, Governor of the State of South Dakota, by the authority vested in me by the Constitution and Laws of the State, do hereby Order and Direct that no employee or agency of the State of South Dakota shall download or use the TikTok application or visit the TikTok website on government-issued devices, including state-issued cell phones, laptops, or any device capable of internet connectivity.

No person or entity who contracts with the State of South Dakota, including but not limited to any state agency, commission, or authority and agents thereof, shall download or use the TikTok application or visit the TikTok website on state-owned or state-leased equipment.

Dated in Pierre, South Dakota, this 29th day of November, 2022.



Kristi Noem
Governor of South Dakota



ATTEST:



Steve Barnett
Secretary of State