

**STATE OF SOUTH DAKOTA  
OFFICE OF THE GOVERNOR  
EXECUTIVE ORDER 2023-06**

**Whereas**, Executive Order 2022-10 acknowledged the cybersecurity risks TikTok and ByteDance posed to state security, including logging internet browsing, keystrokes, and location information that may be provided directly to the Chinese Communist Party (“CCP”), and prohibited state employees, agencies, and contractors from downloading or visiting TikTok on state-owned electronic devices; and,

**Whereas**, Tencent Holdings, Ltd. (“Tencent”) is a China-based technology and media conglomerate and one of the world’s largest companies, with ownership interests in WeChat, Discord, various game companies, QQ Video, Tencent Music, and QQ Instant Messenger, and Tencent and the WeChat platform, with its massive 1.3-billion-person userbase, pose similar cybersecurity risks to South Dakota as ByteDance and TikTok; and,

**Whereas**, The Committee on Foreign Investment in the United States is still investigating Tencent’s 100% ownership stake in Riot Games and its 40% interest in Epic Games; and,

**Whereas**, Tencent’s WeChat platform surveils and censors foreign and domestic users and WeChat’s privacy policy requires it to retain private user data and monitor payments processed on its network on the CCP’s behalf, a March 2019 data leak revealed datacenters storing messages from American, Chinese, South Korean, Taiwanese, and Australian users, and Tencent’s “Midnight Patrol” policy provides facial recognition scans of minor users’ faces to the CCP to enforce a strict digital media curfew; and,

**Whereas**, The Trump Administration issued Executive Order No. 13,943 “Addressing the Threat Posed by WeChat” in August, 2020 (“WeChat EO”) to prohibit transactions with Tencent or WeChat and recognized Tencent censors content the CCP deems politically disfavored, collects vast amounts of user data and grants access to the CCP, but the United States District Court, N.D. California, San Francisco Division enjoined the WeChat EO nationwide, leaving Tencent free to collect valuable and personal user data, and the Biden Administration completely revoked the WeChat EO in 2021; and,

**Whereas**, Tencent and CCP-owned China Unicom received Chinese regulatory approval to establish a joint venture in November 2022, and in January 2023, the CCP began purchasing interests in and inserting CCP officials onto the boards of Chinese technology companies, raising further concerns of CCP control:

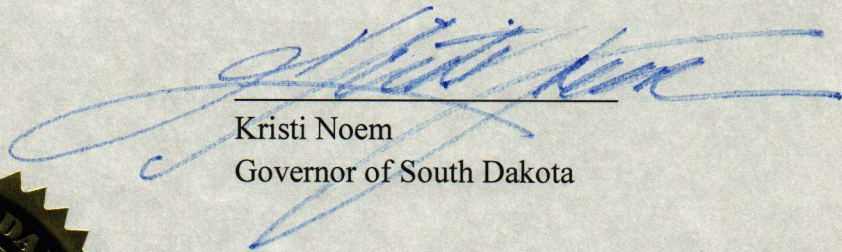
**NOW, THEREFORE**, I, Kristi Noem, Governor of the State of South Dakota, by the authority vested in me by the Constitution and Laws of the State, do hereby Order and Direct the following:

1. No employee or agency of the State of South Dakota shall download or use any application or visit any website owned or controlled by Tencent Holdings, Ltd., including

the WeChat platform, on government-issued devices, including state-issued cellphones, laptops, or any device capable of internet connectivity.

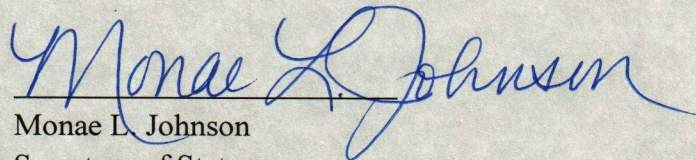
2. No person or entity who contracts with the State of South Dakota, including but not limited to any state agency, commission, or authority or agents thereof, shall download or use any application or visit any website owned or controlled by Tencent Holdings, Ltd., including the WeChat platform, on state-owned or state-leased equipment.
3. The Commissioner of the Bureau of Information & Telecommunications shall designate any other application, website, platform, service, or product whose use or access would be detrimental to state security consistent with this Executive Order and Executive Order 2022-10.
4. Any entity so designated by the Commissioner pursuant to section (3) of this Executive Order is prohibited in the same manner prescribed in sections (1) and (2).
5. The Commissioner shall create and maintain a list of entities designated and prohibited under this Executive Order and Executive Order 2022-10, including Tencent, WeChat, ByteDance, and TikTok, and shall make this list publicly accessible on the Bureau's website.

Dated in Pierre, South Dakota, this 4th day of May 2023.



Kristi Noem  
Governor of South Dakota

ATTEST:



Monae L. Johnson  
Secretary of State

