



Spencer J. Cox

Governor

EXECUTIVE ORDER
2022-06

Prohibiting the Use of TikTok by State Agencies and on State-owned Electronic Devices

WHEREAS, the social media application TikTok has over 100 million users in the United States;

WHEREAS, TikTok is owned and operated by ByteDance, a company headquartered in China;

WHEREAS, Chinese national security laws allow the Chinese government to compel companies headquartered in China to provide it with data, which may include the personal data, intellectual property, or proprietary information of users in the United States and Utah;

WHEREAS, ByteDance collects TikTok user data, including non-public personal information and potentially including user location information;

WHEREAS, ByteDance has acknowledged that its China-based employees have access to user data;

WHEREAS, ByteDance has refused to cut off user data flows to China or China-based employees;

WHEREAS, FBI Director Christopher Wray has noted TikTok poses national security concerns, including the possibility that the Chinese government uses TikTok to control data collection, influence TikTok's recommendation algorithm, or compromise personal devices;

WHEREAS, the Federal Communications Commission chair and United States Senators from both sides of the aisle have called for a TikTok ban due to security risks;

WHEREAS, the use of TikTok on State-owned electronic devices may enable the Chinese government to obtain confidential, private, or other data from Utah agencies or employees;

NOW, THEREFORE, I, Spencer J. Cox, governor of the state of Utah, by the authority vested in me by the Constitution and laws of this state, hereby order the following:

1. **Application.**
 - a. This executive order applies to all state executive branch agencies.
2. **Definitions.** As used in this order:
 - a. "Agency"
 - i. includes:

1. a department, division, office, bureau, or other organization within the state executive branch, including the State Tax Commission, the National Guard, and the Board of Pardons and Parole; and
- ii. does not include:
 1. an institution of higher education;
 2. the Utah Board of Higher Education;
 3. the State Board of Education;
 4. an independent entity as defined in Utah Code § 63E-1-102;
 5. the Attorney General's Office;
 6. the State Auditor's Office;
 7. the State Treasurer's Office;
 8. the Legislative Branch; or
 9. the Judicial Branch.
- b. "State-owned electronic device" includes a state-owned mobile phone, desktop computer, laptop computer, tablet, or other electronic device.

3. Specific Requirements

a. Agencies and Contractors of Agencies

- i. An agency or agency employee may not, on any State-owned electronic device, download or use the TikTok application or visit any TikTok website.
- ii. An agency may not sponsor content on TikTok or maintain an agency-branded or agency-sponsored TikTok account.
- iii. A person or entity contracted with an agency may not, on any State-owned electronic device, download or use the TikTok application or visit any TikTok website.
- iv. The head of an agency:
 1. shall implement this order; and
 2. may grant exceptions to the prohibitions established in this Executive Order to enable administrative, civil, and criminal law enforcement investigations.

b. Department of Government Operations

- i. The Department of Government Operations shall:
 1. investigate any additional vulnerabilities TikTok presents to state networks or infrastructure;
 2. make recommendations to the governor and agencies to address any identified vulnerabilities; and
 3. take other actions necessary to implement this order.

THIS ORDER is effective immediately and shall remain in effect until otherwise modified, amended, rescinded, or superseded.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the state of Utah. Done in Salt Lake City, Utah, on this, the 12th day of December, 2022.



Spencer J. Cox
Governor



Deidre M. Henderson
Lieutenant Governor

ATTEST:

