



Commonwealth of Virginia
Office of the Governor

Executive Order

NUMBER FORTY-SIX (2025)

BANNING THE USE OF DEEPSEEK ARTIFICIAL INTELLIGENCE ON STATE GOVERNMENT TECHNOLOGY

By virtue of the authority vested in me as Governor of the Commonwealth, I hereby issue this Executive Order to guard the security of the Commonwealth's information technology infrastructure and the sensitive data it protects by banning the use of DeepSeek on government-owned or government-leased devices or over government-owned or government-maintained networks.

Importance of the Initiative

Information technology infrastructure is an integral part of the routine operations of state government and a critical component of serving the citizens of the Commonwealth. Safeguarding that infrastructure and the vital data it contains about the people of Virginia, including personally identifiable information, tax data, health records, and intellectual property, necessitates the restriction of applications that can be installed or websites that can be accessed on government-owned or leased technology.

On December 16, 2022, I issued Executive Order 24, which banned the download or use of any applications developed by ByteDance Limited or Tencent Holdings Limited or any visit to the TikTok or the WeChat website on any government-issued devices and the access of those applications and websites through wireless networks owned, operated or maintained by the Commonwealth, with limited exceptions for law enforcement use.¹

Today, DeepSeek, an artificial intelligence large language model natural language processing chatbot developed by Hangzhou DeepSeek Artificial Intelligence Basic Technology Research Co., Ltd., raises significant security and privacy concerns that call for similar restrictions on Commonwealth of Virginia devices.

According to the Associated Press, security researchers have discovered that the DeepSeek application contains code capable of transmitting user login information to China Mobile, a state-

owned telecommunications company banned from operating in the U.S. due to national security concerns. This raises the possibility of user data being accessed by the Chinese government.²

Security researchers have identified that DeepSeek's application for the Apple iOS iPhone operating system disables "App Transport Security," allowing the transmission of unencrypted data over the internet, which could lead to unauthorized access to sensitive information.³

Analyses by security experts reveal that DeepSeek lacks robust security measures, making it susceptible to "jailbreaking" attacks, meaning users can get around the security measures and ethical guardrails in place on the chatbot. According to Cisco Systems, in tests, the model failed to block harmful prompts, resulting in a 100 percent attack success rate. This vulnerability could be exploited to generate malicious content.⁴

Furthermore, an investigation by Wiz Research uncovered that DeepSeek had an exposed database containing over a million lines of sensitive information, including chat histories and internal system details.⁵

Directive

Accordingly, pursuant to the authority vested in me as Chief Executive Officer of the Commonwealth and pursuant to Article V of the Constitution of Virginia and § 2.2-103 of the Code of Virginia, I hereby direct and order that no employee or contract employee of any agency of the Commonwealth of Virginia shall download or use the DeepSeek AI application or any other application developed by Hangzhou DeepSeek Artificial Intelligence Basic Technology Research Co., Ltd., hereafter referred to as "DeepSeek," on any government-issued devices, including state-issued cell phones, laptops, or other devices capable of connecting to the internet except for public safety purposes as certified by the Secretary of Public Safety & Homeland Security.

Further, no person or entity contracting with the Commonwealth, including but not limited to all agencies, boards, commissions, institutions of higher education, or authorities, or agents thereof, may download or use the DeepSeek AI application or any other application developed by DeepSeek on state-owned or leased equipment.

Any employee of the Commonwealth, or person or entity contracting with the Commonwealth, who has already downloaded the DeepSeek AI application, or any other application developed by DeepSeek to any government-issued devices as listed above is hereby directed to remove, delete, and uninstall these applications by February 12, 2025.

Finally, no person shall download or use the DeepSeek AI application, or any other application developed by DeepSeek, through Commonwealth owned, operated, or maintained wireless networks.

This Order applies to all Executive Offices, Secretariat Offices, and Executive Branch Agencies. Other units or entities of state government shall comply with this directive in the manner which best suits their information technology capability and network security parameters.

Accordingly, the Virginia Information Technologies Agency is directed to restrict access to these websites and applications in accordance with this Executive Order.

An authorized information technology officer or chief administrative officer for all Executive Branch Agencies shall send written confirmation and report of compliance with this directive to the Secretary of Administration by February 18, 2025.

Effective Date

This Executive Order shall be effective upon its signing and shall remain in force and effect unless amended or rescinded by further executive order or directive. Given under my hand and under the Seal of the Commonwealth of Virginia, this 11th day of February, 2025.



A handwritten signature in black ink, appearing to read "Glenn Youngkin".

Glenn Youngkin, Governor

Attest:

A handwritten signature in black ink, appearing to read "Kelly Gee".

Kelly Gee, Secretary of the Commonwealth