

THE GOVERNOR

As required by Government Code, §2002.011(4), the *Texas Register* publishes executive orders issued by the Governor of Texas. Appointments and proclamations are also published. Appointments are published in chronological order. Additional information on documents submitted for publication by the Governor's Office can be obtained by calling (512) 463-1828.

Executive Order GA-50

Relating to state agencies assisting federal actors working under the direction of the Trump Administration to deploy physical infrastructure to improve operational security at the southern border.

WHEREAS, for four years, the Biden-Harris Administration adopted open-border policies that invited mass illegal entry into Texas and other States, including by ignoring laws that require the federal government to secure the border, construct barrier infrastructure, detain illegal aliens, vet would-be entrants, and swiftly remove aliens pressing frivolous asylum claims; and

WHEREAS, the surge of individuals crossing the southern border continued, resulting in roughly 12 million people—a number larger than the population of 43 different States—entering this country illegally in less than four years; and

WHEREAS, this *en masse* entry into the country includes violent criminals, gang members, known terrorists, and other hostile foreign actors smuggling weapons and drugs like deadly fentanyl, trafficking women and children, and raping and murdering innocent Americans; and

WHEREAS, such illegal entry by hostile non-state actors—largely military-aged males who come in open defiance of our laws and often by force, outfitted with body armor, burying improvised explosive devices, and decorating trees with trophies from sexual assaults—is an invasion, as former Federal Bureau of Investigation (FBI) officials told Congress last year; and

WHEREAS, I, Greg Abbott, Governor of Texas, launched Operation Lone Star, consistent with Article I, Section 10, Clause 3 of the U.S. Constitution, to defend the people of Texas against this hostile invasion by employing an array of defensive strategies to deter, deny, and detain; and

WHEREAS, Texas National Guard soldiers and Texas Department of Public Safety troopers, at my direction, have built over 260 miles of strategic barrier infrastructure along the southern border to deter and deny illegal entry and to ensure successful apprehension and detention; and

WHEREAS, Texas National Guard soldiers, Texas Department of Public Safety troopers, and Texas Facilities Commission employees, at my direction, have contracted to build over 100 miles of border wall; and

WHEREAS, Texas National Guard soldiers and Texas Department of Public Safety troopers, at my direction, have installed and fortified more than 200 miles of concertina wire and border fencing; and

WHEREAS, Texas National Guard soldiers and Texas Department of Public Safety troopers, at my direction, have deployed and are continuously expanding a floating marine buoy system in hotspots for illegal crossings; and

WHEREAS, these efforts proved that barrier infrastructure "serves as a deterrent—an effective one at that," *Texas v. DHS*, 123 F.4th 186, 214 (5th Cir. 2024), resulting in Texas National Guard soldiers and Texas Department of Public Safety troopers, at my direction, repelling over

140,000 attempted illegal entries, apprehending over half a million illegal aliens, making over 50,000 criminal arrests, and seizing over half a billion lethal doses of fentanyl; and

WHEREAS, the Biden-Harris Administration not only refused to build border barrier infrastructure required by federal law but also took affirmative steps to undercut Texas's efforts to address this crisis by destroying state barriers and suing state officials to have such barriers removed, rather than prosecuting the thousands of illegal immigrants daily entering this country in violation of federal criminal laws; and

WHEREAS, on January 20, 2025, President Donald Trump issued an Executive Order, *Guaranteeing the States Protection Against Invasion*, which recognizes that the dangerous conditions along our southern border persist and continue to constitute an invasion, consistent with Article I, Section 10, Clause 3 and Article IV, Section 4 of the U.S. Constitution; and

WHEREAS, on January 20, 2025, President Trump also issued a Proclamation, *Declaring a National Emergency at the Southern Border of the United States*, Section 2 of which directs the U.S. Department of Defense and U.S. Department of Homeland Security to "coordinate with any Governor of a State that is willing to assist with the deployment of any physical infrastructure to improve operational security at the southern border"; and

WHEREAS, Article IV, Section 10 of the Texas Constitution provides that the Governor of Texas is the sole organ of Texas's diplomatic affairs, authorized by state law to conduct all business between this State and the United States;

NOW, THEREFORE, I, GREG ABBOTT, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and Statutes of the State of Texas, do hereby direct the Texas Military Department, the Texas Department of Public Safety, the Texas Facilities Commission, and other appropriate state agencies to assist federal actors working under the direction of the Trump Administration to deploy any physical infrastructure to improve operational security at the southern border.

This executive order supersedes all previous orders in conflict or inconsistent with its terms and shall remain in effect and in full force until modified, amended, rescinded, or superseded by the Governor.

Given under my hand this the 29th day of January, 2025.

Greg Abbott, Governor

TRD-202500386



Executive Order GA-51

Relating to state agencies sharing intelligence on foreign terrorist organizations with federal law enforcement personnel working under the Trump Administration.

WHEREAS, the Biden-Harris Administration's open-border policies resulted in the unchecked entry of transnational criminal foot soldiers,

as predicted by former Federal Bureau of Investigation (FBI) officials who warned that "the surge in numbers of single, military-aged males" from hostile nations and regions "appears to be an accelerated and strategic penetration, a soft invasion, designed to gain internal access to" the United States and "inflict catastrophic damage" on this country; and

WHEREAS, these federal policies effectively ceded to hostile non-state actors control of strategic points along our southern border, like Fronton Island in Starr County, Texas, where transnational criminal organizations engaged in open warfare against rival cartels and against state and federal officers, hid and surveilled state and federal law enforcement, and stashed and smuggled weapons, drugs, and people across the Border--endangering the lives of Texans; and

WHEREAS, I, Greg Abbott, Governor of Texas, as Commander-in-Chief of the military forces of Texas, responded to this threat by moving a heavily armed force onto Fronton Island to secure it against transnational criminal cartels, and subsequently regained operational control of Texas territory; and

WHEREAS, I rejected the Biden-Harris Administration's written demands to effectively cede control of Fronton Island back to transnational criminal cartels, which had stashed assault rifles, grenade and rocket launchers, various munitions, and improvised explosive devices hidden about the property; and

WHEREAS, on September 21, 2022, I issued Executive Order GA-42, which recognized the destruction caused by Mexican drug cartels and designated them as foreign terrorist organizations; and

WHEREAS, Executive Order GA-42 also ordered the Department of Public Safety to establish a Mexican Cartel Division within the Texas Fusion Center, conduct multijurisdictional investigations of foreign terrorist organizations, enhance interdiction operations, and intensify efforts under Operation Lone Star to detect and disrupt transnational criminal activity; and

WHEREAS, on June 8, 2023, I signed into law Senate Bill 1900, which strengthened the tools to combat transnational criminal organizations operating in Texas; and

WHEREAS, Tren de Aragua (TdA) is a transnational criminal organization that operates a sweeping criminal enterprise engaging in trafficking human beings for sex, smuggling weapons and deadly drugs including fentanyl, and torturing and dismembering victims; and

WHEREAS, although TdA originated in a Venezuelan prison, it quickly spread its criminal enterprise into Colombia, Peru, and Chile, before expanding operations into the United States; and

WHEREAS, FBI officials in Texas confirmed that "members of Tren de Aragua have crossed into the United States," and a memorandum from the U.S. Department of Homeland Security revealed that the group's leaders gave members "a 'green light' to fire on or attack law enforcement"; and

WHEREAS, reports indicate that, since being released into the country, suspected members of TdA have unleashed a scourge of crime and terror across the United States, including murdering a nursing student in Georgia out on a morning jog, shooting police officers trying to stop a robbery in New York, sexually assaulting a mother and her minor daughter in Wisconsin, and forcibly assuming operational control to establish large-scale operations in once-quiet suburbs in Colorado; and

WHEREAS, reports confirm that TdA established criminal operations in Texas, including in Houston, where members raped and strangled a 12-year-old girl, and in El Paso, where TdA had converted hotels to house gang members, imprisoned human smuggling victims, and

staged criminal operations, resulting in nearly 700 phone calls to local law enforcement; and

WHEREAS, on September 16, 2024, I launched a statewide operation to target TdA, including designating it as a foreign terrorist organization, subjecting its members to heightened penalties authorized by Senate Bill 1900, and creating a TdA Strike Team within the Texas Department of Public Safety to develop better intelligence and eliminate the organization's criminal operations in Texas; and

WHEREAS, on January 20, 2025, President Donald Trump issued an Executive Order, *Designating Cartels and Other Organizations as Foreign Terrorist Organizations and Specially Designated Global Terrorists*, Section 1 of which recognized the threat posed by groups like Mexican cartels and TdA, and Sections 2 and 3 of which directed federal actors to identify groups for terror designations, expedite the removal of such groups, and ensure their total elimination from the United States; and

WHEREAS, Article IV, Section 10 of the Texas Constitution provides that the Governor of Texas is the sole organ of Texas's diplomatic affairs, authorized by state law to conduct all business between this State and the United States;

NOW, THEREFORE, I, GREG ABBOTT, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and Statutes of the State of Texas, do hereby direct all appropriate state agencies to assist federal law enforcement personnel working under the direction of the Trump Administration to eliminate the operations of designated foreign terror organizations, like Mexican cartels and TdA, by sharing intelligence gathered through Texas's preexisting and ongoing efforts to combat such organizations within Texas.

This executive order supersedes all previous orders in conflict or inconsistent with its terms and shall remain in effect and in full force until modified, amended, rescinded, or superseded by the Governor.

Given under my hand this the 29th day of January, 2025.

Greg Abbott, Governor

TRD-202500387



Executive Order GA-52

Relating to state agencies identifying additional detention space for federal actors working under the direction of the Trump Administration.

WHEREAS, for four years, the Biden-Harris Administration adopted open-border policies that invited mass illegal entry into Texas and other States, including by ignoring laws that require the federal government to secure the border, construct barrier infrastructure, vet would-be entrants, and swiftly remove aliens pressing frivolous asylum claims; and

WHEREAS, among other destructive open-border policies, the Biden-Harris Administration refused to detain illegal aliens in federal custody after committing the crime of illegally entering or reentering the country and, instead, granted millions of illegal aliens *en masse* parole into the United States; and

WHEREAS, immigration laws already passed by Congress command that federal officials "shall" detain various categories of aliens, including aliens claiming asylum, 8 U.S.C. § 1225(b)(1)(B)(ii) & (iii)(IV), aliens applying for admission, *id.* § 1225(b)(2)(A), criminal aliens, *id.* § 1226(c)(1), aliens ordered removed, *id.* § 1231(a)(2), and aliens who may carry disease, *id.* § 1222(a); and

WHEREAS, the Supreme Court of the United States essentially permitted the Biden-Harris Administration to "violat[e] its obligations un-

der" such federal mandatory detention provisions in *Biden v. Texas*, 597 U.S. 785, 803 & n.5 (2022); and

WHEREAS, the Biden-Harris Administration's refusal to enforce federal immigration laws allowed the surge of individuals crossing the border to continue, resulting in roughly 12 million people—a number larger than the population of 43 different States—entering this country illegally in less than four years; and

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on May 31, 2021, certifying under Section 418.014 of the Texas Government Code that the surge of individuals unlawfully crossing the Texas-Mexico border posed an ongoing and imminent threat of disaster for a number of Texas counties and for all state agencies affected by this disaster; and

WHEREAS, this disaster proclamation enhanced efforts to detain criminal aliens under state law, including by authorizing heightened criminal punishments with longer custodial sentences under Section 12.50 of the Texas Penal Code and by directing state agencies to identify additional detention facilities or to expand existing detention capacity; and

WHEREAS, on December 18, 2023, I signed into law Senate Bill 4, which made it a crime to illegally enter or reenter the sovereign territory of Texas, consistent with existing federal criminal laws against illegal entry and reentry; and

WHEREAS, pursuant to these state detention efforts, the Texas Department of Criminal Justice, the Texas Facilities Commission, the Texas Commission on Jail Standards, the Texas Commission on Law Enforcement, and other state agencies have proven their ability to acquire land, develop or outfit infrastructure, and adapt or expand existing facilities as detention needs shifted in Texas; and

WHEREAS, on January 20, 2025, President Donald Trump issued an Executive Order, *Protecting the American People Against Invasion*, Section 10 of which directs the Department of Homeland Security to locate additional "facilities to detain removable aliens" and to "ensure the detention of aliens apprehended for violations of immigration law"; and

WHEREAS, Article IV, Section 10 of the Texas Constitution provides that the Governor of Texas is the sole organ of Texas's diplomatic affairs, authorized by state law to conduct all business between this State and the United States;

NOW, THEREFORE, I, GREG ABBOTT, Governor of Texas, under the authority vested in me by the Constitution and Statutes of the State of Texas, do hereby direct the Texas Department of Criminal Justice, the Texas Facilities Commission, the Texas Commission on Jail Standards, and other appropriate state agencies to:

- (1) identify all land and facilities in the State of Texas suitable and available for use by Immigration and Customs Enforcement or other federal actors working under the direction of the Trump Administration to detain removable aliens; and
- (2) coordinate with such federal actors to expedite any necessary inspections, approvals, agreements, or contracts required to facilitate the lease of identified facilities; and
- (3) expedite the preparation and transition of identified facilities to ensure they are ready for the federal government to assume operational control.

This executive order supersedes all previous orders in conflict or inconsistent with its terms and shall remain in effect and in full force until modified, amended, rescinded, or superseded by the Governor.

Given under my hand this the 29th day of January, 2025.

Greg Abbott, Governor

TRD-202500388

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Executive Order GA-53

Relating to the development of an operational plan by the Texas Military for cooperating with the U.S. armed forces to regain and maintain operational control of the southern border.

WHEREAS, for four years, the Biden-Harris Administration adopted open-border policies that invited mass illegal entry into Texas and other States, including by ignoring laws that require the federal government to secure the border, construct barrier infrastructure, detain illegal aliens, vet would-be entrants, and swiftly remove aliens pressing frivolous asylum claims; and

WHEREAS, the surge of individuals crossing the southern border continued, resulting in roughly 12 million people—a number larger than the population of 43 different States—entering this country illegally in less than four years; and

WHEREAS, this *en masse* entry into the country includes violent criminals, gang members, known terrorists, and other hostile foreign actors smuggling weapons and drugs like deadly fentanyl, trafficking women and children, and raping and murdering innocent Americans; and

WHEREAS, such illegal entry by hostile non-state actors—largely military-aged males who come in open defiance of our laws and often by force, outfitted with body armor, burying improvised explosive devices, and decorating trees with trophies from sexual assaults—is an invasion, as former Federal Bureau of Investigation (FBI) officials told Congress last year; and

WHEREAS, I, Greg Abbott, Governor of Texas, repeatedly demanded that former President Joe Biden fulfill his obligation under Article IV, Section 4 of the U.S. Constitution to protect Texas and the United States from the invasion of their sovereign territories; and

WHEREAS, I launched Operation Lone Star, consistent with my concurrent authority under Article I, Section 10, Clause 3 of the U.S. Constitution, to defend the people of Texas against this hostile invasion by employing an array of defensive strategies to stop the flood of foreign actors bringing hostile designs, dangerous weapons, and deadly drugs into Texas; and

WHEREAS, the Texas Military Department, under my command, has deployed an array of strategies to combat this invasion, including establishing defensive barriers to deter and deny hostile entry, utilizing advanced tools to repel would-be illegal entrants, developing enhanced technology and strategies to interdict foreign actors, and gathering sophisticated intelligence on hostile non-state actor groups; and

WHEREAS, Texas soldiers deploying these strategies up and down the 1,254 miles of the Texas-Mexico border for years have developed unparalleled expertise concerning the southern border's terrain, the tactics, techniques, and protocols of the hostile nonstate actors operating there, and the socio-political motivations of a failed narco-state that is both unwilling and unable to stop incursions from its own territory into Texas; and

WHEREAS, on January 20, 2025, I again invoked Article IV, Section 4, urging President Donald Trump to protect Texas, and the rest of the United States, from the continuing invasion along our southern border by exercising the full scope of his constitutional authority; and

WHEREAS, on January 20, 2025, President Trump issued a Proclamation, *Guaranteeing the States Protection Against Invasion*, which "determined that the Federal Government has failed in fulfilling [its

Article IV, Section 4] obligation to the States" and "declare[d] that an invasion is ongoing at the southern border, which requires the Federal Government to take measures to fulfill its obligation to the States"; and

WHEREAS, on January 20, 2025, President Trump issued an Executive Order, *Clarifying the Military's Role in Protecting the Territorial Integrity of the United States*, Section 3 of which directs the U.S. Secretary of Defense to develop a plan that assigns the United States Northern Command (NORTHCOM) the mission of regaining operational control of the southern border; and

WHEREAS, on January 20, 2025, President Trump issued an Executive Order, *Securing Our Borders*, Section 4(a) of which directs the U.S. Secretary of Defense to "take all appropriate and lawful action to deploy sufficient personnel along the southern border of the United States to ensure complete operational control," and Section 2(f) of which provides that it is the policy of the United States to "[c]ooperate fully" with state actors seeking to achieve the same goal; and

WHEREAS, Article IV, Section 7 of the Texas Constitution provides that the Governor of Texas "shall be the Commander-in-Chief of the military forces of the State" and may direct such forces "to suppress insurrections, and to repel invasions";

NOW, THEREFORE, I, GREG ABBOTT, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and Statutes of the State of Texas, do hereby direct the Adjutant General of Texas, based on the Texas Military Department's years of expertise combatting the present invasion, to develop and report to me within 30 days a full operational plan to assist NORTHCOM in repelling this invasion, securing the TexasMexico border, and neutralizing the hostile non-state actors infiltrating Texas.

This executive order supersedes all previous orders in conflict or inconsistent with its terms and shall remain in effect and in full force until modified, amended, rescinded, or superseded by the Governor.

Given under my hand this the 29th day of January, 2025.

Greg Abbott, Governor
TRD-202500389



Executive Order GA-54

Relating to state agencies assisting federal immigration officers working under the direction of the Trump Administration in carrying out functions under federal immigration laws.

WHEREAS, for four years, the Biden-Harris Administration adopted open-border policies that invited mass illegal entry into Texas and other States, including by ignoring laws that require the federal government to secure the border, construct barrier infrastructure, detain illegal aliens, vet would-be entrants, and swiftly remove aliens pressing frivolous asylum claims; and

WHEREAS, I, Greg Abbott, Governor of Texas, launched Operation Lone Star, consistent with Article I, Section 10, Clause 3 of the U.S. Constitution, to defend the people of Texas against a hostile invasion by employing strategies to deter efforts to illegally enter outside a port of entry, deny efforts to enter illegally, and detain illegal immigrants; and

WHEREAS, the Biden-Harris Administration not only refused to enforce federal immigration laws but also took deliberate steps to obstruct Texas's efforts to secure the border and defend its sovereign territory, both under state law and under Texas's inherent and constitutional right to defend itself; and

WHEREAS, when I ordered state personnel to deploy a floating marine buoy system designed to channel aliens to lawful ports of entry and away from dangerous waters at illegal entry hotspots, lawyers for the Biden-Harris Administration sought to dictate how Texas used its own waterways by suing to remove the buoys from the Rio Grande; and

WHEREAS, when I ordered state personnel to install razor wire fencing to deter and deny illegal entries, Customs and Border Protection officers under the Biden-Harris Administration claimed the power to destroy state property--cutting open, tearing up, and smashing state fencing to invite thousands of illegal aliens daily into Texas; and

WHEREAS, when I signed into law Senate Bill 4, which makes it a state crime to illegally enter or reenter Texas, just like the federal criminal laws the Biden-Harris Administration ignored, Department of Justice lawyers sought to prevent the sovereign State of Texas from administering its own criminal code; and

WHEREAS, by reelecting Donald J. Trump as President of the United States, 77 million Americans--including a clear majority of Texans--rejected former President Joe Biden's legacy of breaking his oath to uphold the Constitution, ignoring rather than faithfully executing federal laws, and undercutting Texas's efforts to counteract federal failures; and

WHEREAS, on January 20, 2025, President Trump issued an Executive Order, *Protecting the American People Against Invasion*, Section 11 of which directs the Department of Homeland Security "to authorize State and local law enforcement officials ... to perform the functions of immigration officers," either "through agreements under section 287(g) of the INA (8 U.S.C. 1357(g)) or otherwise"; and

WHEREAS, the stated purpose of Section 11's directive is to allow those States that consent to "assist with the protection of the American people" to supplement federal efforts to enforce immigration laws and do so in a way that is most effective for differing regional needs; and

WHEREAS, Article IV, Section 10 of the Texas Constitution provides that the Governor of Texas is the sole organ of Texas's diplomatic affairs, authorized by state law to conduct all business between this State and the United States;

NOW, THEREFORE, I, GREG ABBOTT, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and Statutes of the State of Texas, do hereby direct all appropriate state agencies to assist federal actors working under the direction of the Trump Administration with carrying out functions under federal immigration laws, including investigating, apprehending, detaining, and removing illegal aliens found in Texas.

This executive order supersedes all previous orders in conflict or inconsistent with its terms and shall remain in effect and in full force until modified, amended, rescinded, or superseded by the Governor.

Given under my hand this the 29th day of January, 2025.

Greg Abbott, Governor
TRD-202500390



Executive Order GA-55

Relating to state agencies complying with the color-blind guarantee of our state and federal Constitutions by prohibiting all forms of government race discrimination.

WHEREAS, Article I, Section 3a of the Texas Constitution provides that "[e]quality under the law shall not be denied or abridged" because of race, adding that this provision "is self operative"; and

WHEREAS, the Fourteenth Amendment to the United States Constitution additionally provides that no state government may "deny to any person within its jurisdiction the equal protection of the laws"; and

WHEREAS, the Supreme Court of the United States recently held in *Students for Fair Admissions v. Harvard*, 600 U.S. 181, 202, 230 (2023), that "in view of the Constitution, in the eye of the law, there is in this country no superior, dominant, ruling class of citizens" and that "all persons, whether colored or white, shall stand equal before the laws of the States"; and

WHEREAS, although the specific legal challenge in *Students for Fair Admissions* concerned race-based admissions decisions in higher education, the Supreme Court observed more broadly that "[o]ur Constitution is color-blind," and "[e]liminating racial discrimination means eliminating all of it," 600 U.S. at 206, 230; and

WHEREAS, these constitutional protections, therefore, require that state governments always treat people equally regardless of membership in any racial group, refusing to place a thumb on the scale for or against anyone based on race; and

WHEREAS, in recent years, there has been a concerted effort to invert this commitment to equal treatment through diversity, equity, and inclusion (DEI), critical race theory (CRT), affirmative action, and other divisive agendas; and

WHEREAS, such blatant efforts to divide people are just new forms of racism, often weaponized in reverse and rooted in the idea that a person may be inherently good or bad, the oppressed or the oppressor, based on racial identity; and

WHEREAS, by promoting ideas like inherent bias, collective guilt, racial superiority, cultural appropriation, and other similar notions, such racist efforts seek to establish creditor and debtor races, inherently antithetical to a society in which "all men are created equal"; and

WHEREAS, state governments may speak or communicate in a variety of ways, including through official statements, programs, policies, practices, expenditures, and employee conduct pursuant to their official duties; and

WHEREAS, no state agency may, consistent with the promise of our color-blind Constitutions, employ practices or communicate speech rooted in the unlawful idea that a person is inherently good or bad, blameworthy or innocent, or entitled or disentitled based on race;

NOW, THEREFORE, I, GREG ABBOTT, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and Statutes of the State of Texas, do hereby direct all state agencies to comply with the color-blind guarantee of both the state and federal Constitutions, including by ensuring that all agency rules, policies, employment practices, communications, curricula, use of state funds, awarding of government benefits, and all other official actions treat people equally, regardless of race.

This executive order supersedes all previous orders in conflict or inconsistent with its terms and shall remain in effect and in full force until modified, amended, rescinded, or superseded by the Governor.

Given under my hand this the 31st day of January, 2025.

Greg Abbott, Governor

TRD-202500391



Proclamation 41-4167

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, on December 7, 2022, I, Greg Abbott, Governor of Texas, ordered every state executive agency in Texas to ban its officers and employees from downloading or using on any of its government-issued devices the application TikTok, which is owned by the Chinese company ByteDance Limited; and

WHEREAS, in 2023, I signed Senate Bill 1893 into law, which gives me the authority to identify other social media applications or services that pose a security risk to Texas, including "successor applications" to TikTok and applications "developed or ... owned by ByteDance Limited"; and

WHEREAS, in 2024, Congress passed the Protecting Americans from Foreign Adversary Controlled Applications Act, which made it unlawful to distribute TikTok unless the U.S. operation of the platform was severed from its Chinese owner by January 19, 2025; and

WHEREAS, the Supreme Court of the United States upheld the Act against constitutional challenge in *TikTok Inc. v. Garland*, Nos. 24-656 & 24-657 (U.S. Jan. 17, 2025), which resulted in the shutdown of TikTok on January 19, 2025; and

WHEREAS, in the days leading up to its eventual shut-down, TikTok began promoting to its users certain successor applications or alternative services, including RedNote and Lemon8; and

WHEREAS, the social media application RedNote, whose name in the original Mandarin (小红书) is a reference to the founder of the People's Republic of China (PRC) and former Communist Party of China Chairman Mao Zedong's "Little Red Book," is owned by a Xingyin Information Technology, a company headquartered in the PRC; and

WHEREAS, RedNote provides content to users based on its algorithm and allows users to share text, photos, and videos, and shop for commercial goods; and

WHEREAS, the social media application Lemon8 is owned by ByteDance Limited, a company headquartered in the PRC and the ultimate owner of TikTok; and

WHEREAS, Lemon8 provides content to users based on its algorithm and allows users to post photos and videos, including captions, and to follow and interact with other users by liking posts; and

WHEREAS, both RedNote and Lemon8 collect significant amounts of user data, including location, browsing activity, and device-specific information like IP addresses; and

WHEREAS, according to the U.S. Department of Homeland Security, the PRC National Intelligence Law of 2017 compels all companies located in the PRC to support, assist, and cooperate with PRC intelligence services, and legally obligates those entities to turn over data collected domestically or abroad to the PRC upon request; and

WHEREAS, because the providers of both RedNote and Lemon8 are headquartered in the PRC, they are required pursuant to the PRC's National Intelligence Law of 2017 to turn over the private personal information of users collected by the applications to the PRC upon request and without due process rights or legal protections for users; and

WHEREAS, both applications therefore pose a security risk to Texas under Section 620.002(1) of the Texas Government Code, which defines security risk based on the possibility that an application provider "may be required by a foreign government ... to provide confidential or private personal information collected by the provider through the application ... to the foreign government" without certain legal protections or based on any "similar risk to the security of this state's sensitive information"; and

WHEREAS, the Governor of Texas may by proclamation identify social media applications that pose such a security risk to the State under Section 620.005 of the Texas Government Code; and

WHEREAS, social media applications identified by the Governor must be included in governmental entities' policies "prohibiting the installation or use" of banned applications "on any device owned or leased by the governmental entity" under Section 620.003(a) of the Texas Government Code;

NOW, THEREFORE, I, Greg Abbott, Governor of Texas, in accordance with the authority vested in me by Section 620.005 of the Texas Government Code, identify RedNote and Lemon8 as social media applications that pose a security risk to the State of Texas and hereby prohibit the installation or use of either application on any device owned

or leased by a governmental entity of this State or a local government within this State.

I HEREBY DIRECT that a copy of this proclamation be filed in the office of the Secretary of State.

IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 31st day of January, 2025.

Greg Abbott, Governor

TRD-202500392

