

PROCUREMENT INFORMATION MEMORANDUM

Date Issued: February 16, 2023

Number: 23-001

Effective Dates: Date Issued Until Modified or Retired

Subject: **Cybersecurity and Prohibiting the Use of Certain Foreign Technologies**

I. REFERENCE

[2023 Executive Order 184](#)

Wis. Stats. 16.971 through 16.975

II. BACKGROUND

2023 Wisconsin Executive Order 184 directs DOA-DET to: use information gathered through state, federal and industry-led intelligence to investigate vulnerabilities presented by products from foreign vendors including when foreign companies may use American's user information for sensitive intelligence gathering, intellectual property theft, and other illicit purposes; continue to use such information to evaluate and identify applications and vendors that may not be used in or connected to any State network or installed on any State-issued device; establish guidance and use existing policies, standards, procedures and processes related to applications or vendors and will provide updates related to the implementation of these directives; continually monitor and update the directives prescribed in the Order; and, monitor adherence to issued guidance, policies, standards, procedures and processes and assist impacted executive branch agencies to ensure they are able to abide by all technical standards and directives of DOA-DET.

The Order also directs executive branch agencies headed by individuals appointed by the Governor to interpret any DOA-DET issued policy, procedure, or process prohibiting use of an application or vendor to extend use of that application or vendor for marketing or advertising strategies, including those implemented by a third party.

III. PURPOSE, OBJECTIVES

DOA-DET has created [290 – Removal of Prohibited Foreign Products Standard](#) to provide standardization on the removal of prohibited foreign products and technologies from State of Wisconsin IT Systems. The DET Standard provides actions executive branch agencies must take to comply with the policy and the most updated list of prohibited vendors.

The purpose of this PIM is to:

- Ensure agency procurement staff are aware of [290 – Removal of Prohibited Foreign Products Standard](#) and the requirements set forth within.
- Provide guidance to executive branch agencies on the use of procurement policies, procedures and processes to ensure they are not purchasing from prohibited vendors or applications identified in Executive Order 184.



IV. PROCEDURE

Before entering into a contract or approving a purchase, agencies must verify that the vendor is neither listed as a prohibited vendor nor purchasing goods services, or software from any of the vendors listed in Executive Order 184. As of the issue date of this PIM, the following vendors and/or software are prohibited from being utilized:

- TikTok
- Huawei Technologies
- ZTE Corp
- Hytera Communications Corporation
- Hangzhou Hikvision Digital Technology Company
- Dahua Technology Company
- Tencent Holdings, including but not limited to:
 - Tencent QQ
 - QQ Wallet
 - WeChat
- Alibaba products, including but not limited to:
 - AliPay
- Kaspersky Lab

Vendors on Existing Contracts:

DOA-SBOP has issued an attestation memo to vendors on enterprise contracts (attached under Additional Resources). Agencies should work with their agency-specific contractors to obtain attestation. Agencies can use the memo issued by DOA-SBOP or create an agency-specific version that, at a minimum, asks contractors to complete the following:

I attest that (Contractor Name) does not sell any products prohibited in Exec. Order No. 184 in the fulfillment of my responsibilities for Contract # (_____). In addition, I attest that in fulfillment of my responsibilities on the same contract that no subcontractor relationship exists that would violate the prohibitions outlined in Exec. Order No. 184.

Additional Controls:

Agencies must establish sufficient controls to ensure that purchases are not being made with any of the vendors or technology prohibited by Executive Order 184. Such controls include but are not limited to:

- Solicitation requirements
- Agency Central Approver role in PeopleSoft

V. ADDITIONAL RESOURCES

[Attestation of Compliance with Executive Order 184](#)

