



February 27, 2025

To: All Montana Department of Justice Employees

Re: Prohibiting the use of DeepSeek Artificial Intelligence on all Department of Justice devices

DeepSeek is an artificial intelligence platform based in Hangzhou, China. On January 20, 2025, DeepSeek released its first free chatbot app for smartphones. It has now passed ChatGPT as the most-downloaded free app in the United States in the iOS App Store.

Similar to TikTok, DeepSeek poses a serious security threat to the Montana Department of Justice (“MTDOJ”) and all Montanans. But DeepSeek is “TikTok on steroids.”¹ DeepSeek stores data on servers inside the People’s Republic of China. Moreover, DeepSeek “has code hidden in its programming which has the built-in capability to send user data directly to the Chinese government.”² Users who register or log in to DeepSeek may unknowingly be creating accounts in China, making their identities, search queries, and online behavior visible to the Chinese Communist Party. DeepSeek is linked to China Mobile, which has close ties to the Chinese military and has been sanctioned by the U.S. government. In 2019, the Federal Communications Commission unanimously denied China Mobile’s authority to operate in the United States due to “substantial” national security concerns.

A bipartisan group in the United States House of Representatives recently introduced legislation to ban DeepSeek on U.S. government devices.³ The Canadian,⁴

¹ <https://bgr.com/tech/deepseek-is-tiktok-on-steroids-lawmaker-says-as-us-ban-on-government-devices-looms/>

² <https://abcnews.go.com/US/deepseek-coding-capability-transfer-users-data-directly-chinese/story?id=118465451>

³ <https://www.pbs.org/newshour/politics/house-lawmakers-propose-deepseek-ban-on-u-s-government-devices>

⁴ https://www.thecanadianpressnews.ca/politics/chinese-firm-deepseeks-ai-chatbot-restricted-from-some-government-phones/article_50548dba-d1ad-58c0-a637-344afdd7943f.html

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Australian,⁵ South Korean,⁶ and Taiwanese⁷ governments have already blocked access to DeepSeek on government devices due to these security concerns. Italian authorities have blocked DeepSeek across the country.⁸ The private sector has also recognized the threat of DeepSeek and taken action.⁹

As Attorney General my primary responsibility is the safety and security of Montanans. That begins with protecting law enforcement from data breaches and foreign espionage. Accordingly, use of DeepSeek on any MTDOJ device, including but not limited to cell phones, laptops, tablets, and desktop computers is prohibited, effective immediately. MTDOJ employees may not use DeepSeek for any governmental purpose. I further instruct Justice Information and Technology Services and all department heads to take all necessary steps to prevent access to DeepSeek on any MTDOJ device. Any third-party entity wishing to do business with MTDOJ also may not use DeepSeek. If any MTDOJ entity requires access to DeepSeek for investigatory purposes, they must seek a waiver from the Chief of Staff prior to use.



AUSTIN KNUDSEN
ATTORNEY GENERAL

⁵ <https://www.wsj.com/tech/australia-bans-deepseek-from-government-devices-5c1534d0>

⁶ <https://www.bloomberg.com/news/articles/2025-02-06/south-korea-blocks-access-to-deepseek-from-government-devices>

⁷ <https://www.reuters.com/technology/taiwan-bans-government-departments-using-deepseek-ai-2025-02-03/>

⁸ <https://www.euronews.com/next/2025/01/31/deepseek-ai-blocked-by-italian-authorities-as-others-member-states-open-probes>

⁹ <https://www.bloomberg.com/news/articles/2025-01-30/deepseek-s-ai-restricted-by-hundreds-of-companies-within-days?embedded-checkout=true>