To the Honorable Members of the North Dakota Legislative Assembly,

I am writing to urge you to introduce and support legislation that prohibits state and local government agencies, public officials, and staff from entering into non-disclosure agreements (NDAs) with data center developers.

Across the country, tech companies and data center developers routinely use secrecy pledges and confidentiality agreements to negotiate massive infrastructure projects behind closed doors. These NDAs prevent elected officials from disclosing basic, vital details to the public—including the scale of the project, energy consumption, water usage, pollution, and potential tax or economic incentives.

When local and state governments make decisions on behalf of the public without involving the public, trust is broken. Data centers demand massive amounts of electricity and water, which can strain local resources and raise utility costs for everyday residents. Taxpayers and local communities deserve a seat at the table before decisions are finalized, not after contracts have already been signed under a veil of corporate secrecy.

Other states and federal lawmakers are already taking action to ban these restrictive secrecy agreements and restore local democratic control. North Dakota must do the same to protect its citizens, ensure open government, and guarantee that public infrastructure decisions are made in the light of day.

I respectfully ask that you champion transparency and introduce legislation to ban data center NDAs in our state. Thank you for your time, your public service, and your consideration of this critical issue.

Sincerely,

Cindy Oberdick