



TO: The Honorable Members of the Pennsylvania Senate

FROM: Aaron Riggleman, Director, Government Affairs

DATE: October 5, 2026

RE: **PA Chamber memo: Oppose S.B. 1408- NDA Ban**

On behalf of the Pennsylvania Chamber of Business and Industry, I am writing to express our opposition to Senate Bill 1408, which is scheduled for a vote by the Senate this week.

This bill would prohibit state and local public agencies from entering into nondisclosure agreements with data center owners or operators related to the construction, development, or location of a data center.

While we appreciate the intent to promote transparency around data center development, we are concerned that the legislation could restrict legitimate discussions during the early stages of a project. Developers frequently require confidentiality while evaluating potential sites, negotiating infrastructure needs, and assessing project feasibility. Nondisclosure agreements are a common practice in economic development and enable businesses to evaluate potential investments before making significant commitments.

Restricting their use could discourage companies from engaging with local governments until later in the development process or cause projects to be directed toward states that provide greater flexibility for confidential business negotiations. We encourage lawmakers to preserve the ability of businesses and public agencies to have productive discussions while ensuring appropriate transparency as projects move forward.

For these reasons, we respectfully urge opposition to S.B. 1408. Please contact Aaron Riggleman at ariggleman@pachamber.org or 724-640-3290 with questions or to discuss.

[Click here](#) to check the PA Chamber Legislative Scorecard.
