



May 13, 2026

The Honorable Mike Johnson
Speaker of the House
United States House of Representatives
Washington, DC 20515

The Honorable Hakeem Jeffries
Democratic Leader
United States House of Representatives
Washington, DC 20515

Dear Speaker Johnson and Leader Jeffries:

On behalf of the undersigned organizations representing federal, state, and local law enforcement professionals, we write to express concern with the *NDO Fairness Act* (H.R. 6048) and urge you not to advance the bill in its current form.

We recognize that the legislation is intended to address important civil liberties and privacy concerns. We understand that investigative authorities must be used responsibly and subject to appropriate oversight. These authorities are already subject to statutory standards, judicial oversight, and internal investigative safeguards. However, as drafted, the *NDO Fairness Act* would likely delay investigations, compromise sensitive cases, and ultimately harm the victims these investigations are meant to protect. This bill, while intended to protect elected or appointed officials from improper information collection, would unintentionally impair routine law enforcement investigations.

Non-disclosure orders are a routine and essential investigative tool. In many cases, directing a provider not to disclose the existence of a subpoena allows investigators to develop leads, preserve evidence, protect witnesses and victims, and prevent suspects from fleeing, destroying evidence, intimidating others, or moving their activity to encrypted or harder-to-trace platforms. In many investigations, electronic evidence is highly perishable, and subjects can rapidly delete accounts, encrypt communications, change devices, or move to alternate platforms once alerted. Put more plainly, alerting a suspect to an ongoing investigation at various stages could severely compromise the investigation.

As written, the bill would impose new hurdles at the outset of investigations, when speed and discretion are critical. The bill's procedural requirements could unintentionally impair time-sensitive investigations without meaningfully improving outcomes for affected individuals. They

would place undue burdens on investigators throughout the investigative process and lead to additional constraints on the judiciary.

In practice, these delays could mean the difference between identifying a fentanyl trafficking network before drugs reach a community, locating an abducted or exploited child safely, disrupting coordinated criminal conspiracies, or stopping an online predator before additional victims are harmed. In narcotics, gang, terrorism, and organized crime investigations, premature notification can cause targets and entire networks to go dark. In child exploitation investigations, provider notification can alert offenders before investigators identify additional victims or recover necessary evidence.

We support efforts to ensure appropriate transparency and accountability while preserving the ability of investigators to act quickly in time-sensitive and high-risk cases. Appropriate balance between protecting civil liberties and preserving investigative tools is essential to safety in our communities. As currently written, this bill would impede investigations and increase risk to victims. We ask that you not advance the *NDO Fairness Act* in its current form and engage with law enforcement stakeholders to identify a workable path forward.

Respectfully,

Association of State Criminal Investigative Agencies (ASCIA)

Major Cities Chiefs Association (MCCA)

Major County Sheriffs of America (MCSA)

National Association of Police Organizations (NAPO)

National High Intensity Drug Trafficking Areas (HIDTA) Directors Association (NHDA)

National Narcotic Officers' Associations' Coalition (NNOAC)

National Sheriffs' Association (NSA)