



March 21, 2020

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Governor Greg Abbott
Office of the Governor
P.O. Box 12428
Austin, Texas 78711-2428

State Insurance Building
1100 San Jacinto
Austin, Texas 78701

Re: Texas Press as "Essential Businesses" During COVID-19 Outbreak

Dear Governor Abbott:

I write on behalf of the Texas Press Association and its more than 400 member newspapers throughout Texas. We appreciate the work that your office is doing to coordinate and implement Texas' response to one of the worst pandemics our State has experienced. In these challenging times, TPA thanks you for the guidance and leadership you have provided in responding to this unprecedented situation and stand ready to assist in any way that it can.

Should it become necessary to limit commercial activity in any way, we ask that you list newspapers as "essential businesses" that are allowed to continue operations as normal. Newspapers and their dedicated journalists and employees are working closely with government agencies at the federal, state and local levels to provide essential health information to our readers across all platforms. TPA and its members remain committed to keeping Texans informed with current, accurate information during this rapidly developing emergency.

In times of crisis, journalists and media organizations are a crucial source of news and emergency updates. For example, in 2017, news organizations played a critical role in promoting public safety during Hurricane Harvey. When false forecasts, disinformation, and conflicting reports plagued social media, Houstonians relied on the media for accurate weather updates and information about relief efforts. Local media worked to promote public safety, debunking hurricane-related rumors and pointing residents to aid and resources. Houston Mayor Sylvester Turner encouraged the public to "continue to monitor mainstream news sources for updates" through the emergency, noting the importance of the city's partnership with the media in coordinating the dissemination of disaster response efforts.

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We take our First Amendment responsibilities seriously and in a time of crisis, our obligation to keep the public credibly informed is as important as ever. News organizations are often the public's only available communications medium during emergency situations.

Newspapers and media companies are essential businesses that should remain open during the COVID-19 crisis so that they may continue to inform the public about their health, safety and welfare and convey accurate, reliable and timely information at a time of great need. Our printed newspapers have millions of readers who rely on us as a lifeline to the community in times like this. Additionally, our ability to publish digitally extends our reach far beyond our paid readership as many of our members have taken down paywalls for COVID-related content so that readers can obtain critical health and local response information during this crisis. **If a mandatory business closure or shelter-in-place restriction were to require the closure of news media companies or restrict newsgathering activity or distribution, that would severely impede an essential conduit of information and resources to millions of Texans. Such action would put thousands of citizens at risk—especially our seniors and rural citizens, who rely on the traditional print and broadcast outlets for their news.**

In recent days, public officials across the country have begun ordering the shutdown of “non-essential” businesses for periods of time. The goal of these orders is to appropriately respond to this unprecedented health crisis. We are heartened that, so far, newspapers have been identified as essential businesses in these orders – akin to grocery stores, pharmacies and other businesses that are critical to public welfare. So far, shelter-in-place orders ranging from Miami-Dade County to Northern California have recognized the importance of news reporting and distribution in a time like this, classifying newspapers, television, radio, and other media services as essential businesses during this rapidly evolving disaster.

TPA asks that, in any action by the State of Texas to limit commercial activity, the government recognize news publishing and reporting as “essential” to public health and welfare. We also ask that you encourage local government officials to make the same designation when crafting appropriate response measures. Distribution of quality news and information via both traditional and digital platforms is absolutely central to all efforts to get beyond the crisis.

Please do not hesitate to contact us to assist in serving you and your leadership efforts.

Respectfully yours,



Laura Lee Prather
Partner