



## National Press Photographers Association

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December 2, 2020

The Honorable Andrew M. Cuomo  
Governor of the State of New York  
Executive Chamber  
State Capitol  
Albany, NY 12224

Commissioner Howard Zucker MD, JD, LLM  
New York State Department of Health  
Corning Tower,  
Empire State Plaza  
Albany, NY 12237

### **RE: New York State COVID-19 Vaccination Program**

Dear Governor Cuomo and Commissioner Zucker:

On behalf of the National Press Photographers Association (NPPA), the country's leading organization representing visual journalists joined by the organizations listed below, we ask that journalists who have direct contact with the public on a regular basis, and particularly visual journalists, be included in *Phase 2* of the Population & Essential Phases of the New York State COVID-19 Vaccination Program that includes "other essential workers that regularly interact with the public."

Visual journalists cannot work from home, and have put their health and lives at risk on a daily basis to cover both the COVID-19 pandemic and other matters of public concern, including matters critical to the health and safety of the public and critical to our democracy. These journalists must work in the conditions they find—regardless of the risk. While others have the option to walk away from large crowds, or to avoid members of the public that don't follow CDC and NYS Health Department guidelines, visual journalists repeatedly put their own safety at risk to document what is occurring and inform their communities, large and small. As a result, we have seen visual journalists become infected, hospitalized, and sometimes unfortunately succumb to COVID-19.

The U.S. Department of Homeland Security's Cybersecurity & Infrastructure Security Agency has recognized front line news reporters as critical infrastructure workers in its document "[Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience In COVID-19 Response](#)" (see p. 19, which lists: "Workers who support radio, print, internet and television news and media services, including, but not limited to front line news reporters, studio, and technicians for newsgathering, reporting, and publishing news."). Almost every state, including New York<sup>1</sup> has issued similar executive orders regarding journalists as essential workers, exempt from curfews and other similar restrictions on the general public.

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<sup>1</sup> See: Executive Order 202.6, effective 3/22/20 defining "essential business to include "6. News Media" at <https://www.governor.ny.gov/news/governor-cuomo-issues-guidance-essential-services-under-new-york-state-pause-executive-order>

As NPPA recently asked in Public Comments to the CDC Advisory Committee on Immunization Practices,<sup>2</sup> we respectfully urge New York State to recognize not just the risk that all journalists, including visual journalists face, but the essential benefit the ability to more safely report on their communities provides to society. Granting early access to the vaccine will help to further protect the important work of these individuals in gathering and disseminating news, information and images to the state, the nation and the world.

Thank you for your consideration. We look forward to working with your offices to better facilitate and expedite this critical request,

Very truly yours,

*Mickey H. Osterreicher*

Mickey H. Osterreicher  
General Counsel

*Alicia Calzada*

Alicia Calzada  
Deputy General Counsel

*On behalf of:*

the James W. Foley Legacy Foundation  
New York News Publishers Association  
New York Press Photographers Association  
Press Freedom Defense Fund, a program of First Look Media Works, Inc.  
Radio Television Digital News Association  
Society of Environmental journalists  
Society of Professional Journalists

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<sup>2</sup> See: Public Comment filed on November 23, 2020 to the Advisory Committee on Immunization Practices Meeting--Docket No. CDC-2020-0117 at [file:///C:/Users/micke/AppData/Local/Temp/NPPA\\_CDC\\_Letter\\_11-23-20.pdf](file:///C:/Users/micke/AppData/Local/Temp/NPPA_CDC_Letter_11-23-20.pdf)