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The Honorable John L. Nau III  
Chairman, Texas Historical Commission  
P.O. Box 12276  
Austin, Texas 78711

***Submitted via electronic mail***

Re: Request to postpone meeting of the Texas Historical Commission set for Tuesday, September 22<sup>nd</sup> at 9:00 AM

September 11, 2020

Chairman Nau,

We write today to request that you postpone the proposed virtual meeting of the Texas Historical Commission set for Tuesday, September 22<sup>nd</sup> at 9:00 AM. As we understand, the Commission currently has no business before it other than the City of San Antonio's permit application, dated December 2019, which proposes to move the historic monument called the *Spirit of Sacrifice*, better known as the Alamo Cenotaph.

In May, we wrote to you about the many reasons that the Cenotaph should not be removed from its present location. In short, we emphasized that hardly any Texan alive today can remember the Alamo without a Cenotaph—placed where it now stands—and we referenced several pieces of historical material evidencing the intent and rationale behind placing it on its current position. Before it was even built, it was the most important project of the 1935 plan to celebrate a centennial of Texas history, and serious damage will be risked if the Cenotaph is moved.

We reiterate these major concerns today, but we also implore you to delay the Texas Historical Commission's planned meeting on September 22<sup>nd</sup>, for many of the concerned Texans who wish to voice their concerns along with us will be unable to join due to their limited ability to participate via high-speed internet issues in their areas. As you are likely aware, over two million Texans lack availability to high-speed internet, and among rural areas, 31 percent do not have access. This option leaves out millions of Texans who

may wish to voice their concerns about this landmark decision on our Texas history—many of whom have contacted us directly about these issues.

Section 442.002 (j) of the Texas Government Code requires that the Texas Historical Commission “develop and implement policies that provide the public with a reasonable opportunity to appear before the commission and to speak on any issue under the jurisdiction of the commission.” The decision of the Commission to meet virtually on any issue seems to deny the public with a reasonable opportunity to appear, but on this issue especially, it would be a tragedy for open government and for Texas history should the Commission make a decision without proper public input. Lastly, a decision this momentous should require the extra protection of input from the body that voted for and commissioned the creation of the Cenotaph nearly 100 years ago—the Texas Legislature.

Rushing this decision through could leave a horrible stain on our state’s history, and as we are only 125 days from the beginning of the 87<sup>th</sup> Legislative Session, we respectfully ask that you delay this hearing until an in-person meeting can be safely attended by all concerned Texans and the Texas Legislature can weigh in. We are ready and willing to offer any assistance necessary to make this happen.

For Texas,

A handwritten signature in black ink, appearing to read "Mayes Middleton", with a stylized flourish at the end.

Rep. Mayes Middleton  
Chairman, Texas Freedom Caucus