Exhibit 31

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

STATE OF NEW YORK, *et al.*, Plaintiffs, v. DONALD J. TRUMP, *in his official capacity as President of the United States, et al.*, Defendants.	20 Civ. 5770 (JMF) **DECLARATION OF MELISSA MCCAW**

Pursuant to 28 U.S.C. § 1746(2), I, Melissa McCaw, hereby declare as follows:

1. I am over the age of eighteen and have personal knowledge of all the facts stated herein.

2. I am the Secretary of the Connecticut Office of Policy and Management (OPM). Consistent with the powers bestowed on me and my agency through Connecticut General Statutes 4-65a, *et seq.*, I oversee budget and policy matters on behalf of the Governor of the State of Connecticut. I have been employed in this capacity since January 2019.

3. Connecticut's Office of Policy and Management functions as the Governor's staff agency and plays a central role in state government, providing the information and analysis used to formulate public policy for the State and assisting state agencies and municipalities in implementing policy decisions on the Governor's behalf. OPM prepares the Governor's budget proposal and implements and monitors the execution of the budget as adopted by the General Assembly. OPM provides the Governor with a global overview of proposed policy initiatives, identifying the full range of financial and policy implications of proposed actions. On the Governor's behalf, OPM analyzes and assesses financial, programmatic, and legislative proposals of state agencies, the General Assembly, and the federal government. Under Connecticut law, OPM is also responsible for "all aspects of state staff planning and analysis in the areas of

budgeting, management, planning, energy policy determination and evaluation, intergovernmental policy, criminal and juvenile justice planning and program evaluation." Conn. Gen. Stat. 4-65a.

4. In everything we do, OPM – like all of Connecticut's state agencies – strives to be informed by the best available data. U.S. Census Bureau data is indispensable to our work, and to that of the state agencies whom we support and assist in budgeting and policy formulation and implementation. It is the sole available source for a wide range of characteristic data – data on subgroups within the overall population – that are essential to effective and accurate planning. In essence: In many critically important areas, unless a Connecticut resident participates in a state program or accesses a service, the State has no way – other than the census – of knowing critical characteristic data about the population.

5. Accurate characteristic data is particularly important in Connecticut, which has no county-level government and is subdivided into 169 municipalities. Even small inaccuracies in characteristic data relative to our overall population can have significant implications for planning on the municipal and regional level, especially where data must be disaggregated by multiple characteristics.

6. Because of OPM's planning and budgeting role for all Connecticut state agencies, I am familiar with several instances in which either OPM or Connecticut state agencies have relied and continue to rely on accurate characteristic data from the census to plan efficiently and effectively. Some of those include:

a. Fighting COVID-19: Connecticut has developed and deployed a statewide program of testing and population-based control measures that have helped us become a national leader in flattening the curve and reducing sickness and mortality due to the coronavirus and its associated sickness, COVID-19. Our Department of Public Health makes targeted decisions about locating testing sites based on characteristic data that speak to COVID-19 risk factors including population density, poverty, and the race and ethnicity of residents. The accuracy of that data is a matter of life and death, and impacts both Connecticut's immediate-term public health and its ability to reopen its economy and thrive in the medium- and long-terms.

b. School Construction: OPM works closely with Connecticut's Office of School Construction Grants & Review (OSCG&R), which is responsible for the grant administration of all Connecticut public school construction projects seeking

authorization for a State grant commitment. Municipalities that seek State bonding for school construction must work with, and seek authorization from, OSCG&R. To ensure that state bonding resources are used wisely, OSCG&R requires municipalities to document the need for their requested facilities using enrollment projections – including, most importantly, projected school-aged populations – that draw on characteristic data including population age, child-bearing rates, and mobility. I am particularly familiar with this process because Section 10-282 of the Connecticut General Statutes requires me, as OPM's Secretary, to review OSCG&R's list of eligible projects and provide comments and recommendations. In the absence of accurate data, Connecticut will be unable to make the best possible decisions around where, and how, to build its next generation of school facilities.

c. Equal Employment Opportunities in State Government: Connecticut's Department of Labor (DoL) relies on accurate and detailed characteristic data to generate projections for policy and planning purposes. To cite just one instance: To promote equal opportunity in employment, Connecticut law requires that state agencies, municipalities, and some companies develop and implement affirmative action plans. In relevant part, those plans articulate hiring and promotion goals in light of the overall workforce by occupational category. Our DoL relies on occupational data from the census – among other sources – to promulgate accurate information and set goals and benchmarks for state agencies to use in developing those Affirmative Action Plans. In other words: Connecticut's objective of increasing equity and reducing barriers to equal employment opportunity depends, in part, on accurate characteristic data from the census. OPM prepares a biennial Affirmative Action Plan that is filed with the Commission on Human Rights and Opportunities, relying on the census data provided by DoL to formulate our hiring and promotion goals.

d. Labor, Employment and Economic Development Trends: Other DoL uses of characteristic data from the census include targeting job training to particular populations and neighborhoods and projecting both labor supply and consumer demand to assist in economic development activities. For example: Knowing the number of people over a certain age helps DoL to project demand for health care

and assisted living facilities, while knowing the number of people under a certain age in particular geographies helps DoL to project the demand for employment in education, daycare, and related industries. This is all relevant to programmatic and funding decisions vetted and approved by OPM.

e. Public Transportation: Connecticut's Department of Transportation (DoT) relies on accurate characteristic data to forecast travel demand, identify commuting patterns, and forecast the impact of new transportation projects across the state. Characteristic data are also used to ensure transportation options are accessible and do not discriminate based on demographic and socio-economic factors such as race, color, income levels, vehicles available, or national origin. For instance, census data on languages spoken at home informs the development of signage and materials in other languages for public involvement at various levels of the state's transportation planning processes. As the Secretary of OPM, I am the Secretary of the State Bond Commission, which approves funding through bonding for eligible DoT projects. The State Bond Commission approves funding requests by DoT based on demonstrated need, and the underlying travel demand forecasts utilizing characteristic data are often a component of that assessment.

f. Revenue Projections and Budgeting: OPM is responsible for analyzing big-picture trends that may impact Connecticut's long-term economic and budget health. That analysis informs state policy on issues ranging from revenue generation to economic development incentives. For example, pursuant to Section 4-74a of the Connecticut General Statutes, OPM prepares an annual "Economic Report to the Governor" that relies on information on Connecticut's population and migration trends, drawing heavily on census data on characteristics including income, age, and migration, in order to make recommendations concerning the economy and appropriately analyze the impact of both proposed spending and proposed revenue programs on the employment, production and purchasing power of the people and industries within the state.

7. In each of these instances, and in myriad others, our planning will be less effective if it is informed by inaccurate data. In conclusion: census accuracy matters, and it matters not just for total population counts but also for characteristic data. The effectiveness and efficiency of our

government – and the health and wellbeing of our residents – relies on accurate characteristic data from the census.

I declare under penalty of perjury that, to the best of my knowledge, the foregoing is true and correct.

Executed on this 5 day of August, 2020

SECRETARY OF THE
OFFICE OF POLICY
AND
MANAGEMENT

By:

Melissa McCaw