Exhibit 40

IN THE UNITED STATES DISTRICT COURT
FOR THE 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.	Case No.: 20-CV-5770 (JMF) **DECLARATION OF CHARLES RYNERSON**

Pursuant to 28 U.S.C. § 1764(2), I, Charles Rynerson, hereby declare as follows:

1. Since January 2006 I have been a research faculty member and Oregon State Data Center Coordinator at Oregon's Population Research Center. In that role I am responsible for assisting the Oregon public to access and understand information from the U.S. Census Bureau and for providing training and assistance for a network of twenty-four Oregon state agencies that serve census data users.

2. Many Oregon state agencies rely on Census Bureau characteristic data, such as age, race and sex data, and Oregon's Population Research Center analyzes Census Bureau data to provide customized estimates and projections for those agencies.

3. Since passage of Oregon Senate Bill 100 in 1973, Oregon's growth management system has relied on population forecasts as the primary tool for determining Urban Growth Boundary (UGB) expansions, as well as for crafting planning policy. By estimating future populations based on historic and current trends, population forecasts provide necessary information to help state and city planners, public officials, private firms, and developers better understand the short and long-term implications of population growth in local areas. Based on legislation enacted in 2013, the Population Research Center coordinates these forecasts.

4. Land use and other planning decisions based on these forecasts rely not just upon the accuracy of census total population counts, but also on accurate characteristic data, and census-year estimates of fertility, mortality, and migration by age group and sex are at the core of the forecasts. For example, births reported to the Population Research Center by the Oregon Health Authority cannot be filtered by immigration status, but baseline fertility rates used in the forecasts are calculated as a ratio of births to women by specific age groups in the numerator and the female population by the same age groups in the denominator. Thus, if results from the 2020 Census are less complete—due, for example, to undercounting of undocumented immigrants—than the results from the 2010 census, the result is that forecasted trends in fertility, mortality, and migration would be inaccurate, potentially harming the reliability of our projections.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Dated: August 5, 2020

By: Charles Rynerson

Charles Rynerson
Population Research Center
Portland State University