Exhibit 26

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

NEW YORK IMMIGRATION COALITION, MAKE THE ROAD NEW YORK, CASA, AMERICAN-ARAB ANTI-DISCRIMINATION COMMITTEE, ADC RESEARCH INSTITUTE, FIEL HOUSTON INC., AHRI FOR JUSTICE, Plaintiffs, v. DONALD J. TRUMP, in his official capacity as President of the United States, UNITED STATES DEPARTMENT OF COMMERCE; WILBUR L. ROSS, JR., in his official capacity as Secretary of Commerce, BUREAU OF THE CENSUS, an agency within the United States Department of Commerce; and STEVEN DILLINGHAM, in his official capacity as Director of the U.S. Census Bureau, Defendants.	Civil Action No. 1:20-cv-05770-JMF

DECLARATION OF SAMER E. KHALAF

I, Samer E. Khalaf, pursuant to the provisions of 28 U.S.C. § 1746, declare under penalty of perjury as follows:

1. I am the National President of the American-Arab Anti-Discrimination Committee ("ADC") and ADC Research Institute ("ADCRI"). My responsibilities include overseeing all of the work of both organizations, and leading our efforts regarding the 2020 Decennial Census.

2. I am over 18 years of age and have personal knowledge of the facts stated in this declaration. I have acquired this personal knowledge after several years as ADC and ADCRI President. During that time period, I have familiarized myself with ADC's internal records and processes, our membership, including where our members live, and the Arab-American community nationwide and in specific areas in which many Arab Americans and ADC members live.

3. Before the COVID-19 outbreak, I also spent a good deal of time traveling the country and meeting with ADC members and other members of the Arab-American community. Through this process, I have familiarized myself with prevailing views in the community concerning a number of issues, including the Trump Administration's treatment of Arab and Muslim Americans and immigration-related policies, and fears in the community about the policies of this Administration. I also continue to meet with ADC members and other members of the Arab-American community through phone calls and video conferences, and as part of this process, I have gained personal knowledge about some of the likely effects of the recent Presidential Memorandum concerning undocumented immigrants and congressional apportionment on Arab Americans.

4. ADC is a civil rights membership organization that is committed to defending and promoting the rights and liberties of Arab Americans and other persons of Arab heritage. Senator James G. Abourezk founded ADC in 1980. Senator Abourezk was the first Arab American to serve in the United States Senate, and he founded ADC in response to stereotyping, defamation, and discrimination directed against Americans of Arab origin. ADC’s mission focuses on combating stereotypes and discrimination against and affecting the Arab-American community in the United States and serving as its public voice on domestic and foreign policy issues, as well as educating

the American public in order to promote greater understanding of Arab history and culture. ADC advocates, educates, and organizes to defend and promote human rights and civil liberties of Arab Americans and other persons of Arab heritage, from recent immigrants to citizens born in the United States. ADC also participates in legal advocacy efforts on issues that have a large impact on the Arab American community.

5. ADC is the largest American-Arab grassroots civil rights organization in the United States. As I detail more below, ADC has several thousand dues-paying members nationwide, with members in all 50 states including California, Texas, Florida, and New Jersey. Its members are also active through ADC's 28 local chapters and organizing committees, located in 20 states and the District of Columbia. Its members include both U.S. citizens and different types of non-citizens.

6. ADCRI was founded by Senator Abourezk in 1981. It is a corporation exempt from taxation under Section 50l(c)(3) of the Internal Revenue Code. ADCRI sponsors a wide range of programs on behalf of Arab Americans and of consequence to the wider American community including programs train Arab Americans in the exercise of their constitutional rights as citizens. Its work includes sponsoring and promoting research studies and publications, seminars, and conferences, which document and analyze the discrimination faced by Arab Americans in the workplace, schools, media and government agencies. These programs, publications and events also promote a better understanding of the rich Arab cultural heritage by the public, policy makers, and the new generations of Arab Americans. ADCRI also publishes and distributes educational materials to Arab Americans, educators, academic institutions, policy makers, and the public at large.

7. ADC and ADCRI have a longstanding and ongoing commitment to promoting engagement in the Decennial Census among its members and constituents. Since the 1980s, ADC has served in numerous capacities on the Census Bureau advisory committees. In 2000, ADC reinvigorated its census campaign and policy initiatives, actively educating Arab Americans and other minority populations about the importance of the census and mobilizing participation and outreach events. In 2008, ADC actively worked with the Census Bureau to identify classification concerns of Arab Americans on the United States census. For the 2010 Decennial Census, ADC and ADCRI created messaging about participating in the Decennial Census that was focused on the Arab-American community including launching a national campaign advocating for the completion of census forms and holding outreach events to counter concerns of sharing of information with government and law enforcement agencies. ADC and ADCRI also engaged in efforts to "get out the count" in that community as well, hosted town halls and symposiums in select cities across the country, and produced and published material for distribution which encouraged participation in the 2010 Census. ADC also served on the U.S. Census Bureau's 2010 Census Advisory Committee.

8. In line with this history, ADC and ADCRI have been active in promoting and encouraging Arab Americans to respond to the 2020 Decennial Census, efforts that I have personally led. I have led Census townhalls across the country, including in Georgia, Michigan, New Jersey, Florida, Texas, California, Washington, D.C., Virginia, and Maryland, to name a few. Since the onset of the COVID-19 Pandemic, I appeared on and led dozens of online conversations with community members about the Census. I have worked with our organizing and media outreach staff to publish and promote informational material for our community encouraging them to complete the Census. In the lead up to the end of the Census period our office was planning

multiple outreach events online, as well as phone banking, and email follow up, encouraging completion of the Census. We have and anticipate additional expenses related to the online services needed to hold digital outreach events.

9. Despite these efforts, I know from my experiences as ADC's President that ADC is already facing a much more challenging environment for conducting outreach and encouraging Arab Americans, both citizens and noncitizens, to respond to the 2020 Census than the 2010 Census. This is due in part to many of the policies and statements of President Trump and his administration targeting immigrants of color, Muslim and Arab Americans, and immigrants generally. Additionally, the failed effort to add a citizenship question to the 2020 Census also helped created an environment of heightened fear and suspicion that has made encouraging census responses among Arab Americans more challenging.

10. I also understand from my role and experience that there is also a particular fear among many Arab Americans about how the data collected in the Census will be used, including fears in areas with high concentrations of Arab Americans like Orange County, California. These concerns include use of the data for purposes of deportation, censorship, and surveillance, including the Department of Homeland Security targeting particular communities, as occurred after September 11, 2001.

11. Based on my experience as ADC's President and the knowledge I have gained from working with ADC staff members, ADC members, and others in the Arab-American community, the July 21, 2020 Presidential Memorandum to the Secretary of Commerce on the subject of "Excluding Illegal Aliens from the Apportionment Base Following the 2020 Census" (the "Memorandum") is already making and will continue to make our efforts to encourage Census participation much more difficult.

12. The Memorandum has already generated significant fear and increased distrust about the Census in Arab American communities. These reactions are not limited to undocumented immigrants or other non-citizens, but also to family, household members, friends, and community members of non-citizens, people for whom the new policy articulated in the Memorandum has generated fear about responding at all and having those responses weaponized against their communities. The new policy announced in the Memorandum to exclude undocumented residents from the apportionment base directly and severely undermines our Census education and outreach also contradicts the messaging we have tried to promote in those efforts, making it necessary to expend more resources at the expense of other organizational priorities in the remaining months of the 2020 Census, including legal work, organizing, issue advocacy efforts, and educational initiatives.

13. The Memorandum will likely make ADC/ADCRI's census work harder and more time consuming and costly in several ways, including contradicting current messaging, the fact that targeting undocumented immigrants creates fear, distrust, apprehension, and raises greater concerns about privacy, and that it demoralizes community members. The impact of the Memorandum will be immediately felt. In addition to making work related to the Census more difficult, it will lead to ultimately lead to a lower count in areas with minority populations, including centers with high Arab populations. By changing the terms of the Census, it will give credence to the notion that the Trump Administration is not being honest about their intention of the Census which will result in decreased participation.

14. ADC has already been forced to expend more resources and will continue needing to do so to respond to the Memorandum and expects that it will need to interact with community members many more times than previously planned to try to convince them to participate in the

2020 census. Even though the Memorandum will cause ADC to expend more resources to reach the same number of people, it unfortunately is likely that it will have less success in convincing many community members in the 2020 Census due in large part to the Memorandum. ADC and ADRCI will have to increase staff time and spending devoted its Census education and outreach efforts by approximately 25% percent over current levels to address the Memorandum. In addition to my work, I had to direct my National Organizer and our Media Coordinator to divert some of their time away from other priorities to do additional Census work

15. Because the Memorandum has caused and will continue to cause ADC and ADRCI to spend more time and money spent on Census outreach, ADC and ADCRI will need to divert resources from other important programmatic areas, including pro bono legal services, voter protection work, working with victims of hate crimes, policy work related to upcoming elections, policy work related to COVID-19, community organizing and outreach efforts, as well as educational programs typically implemented at the start of each school year. These are critical programmatic areas right now given the ongoing COVID-19 Pandemic, upcoming elections, and the economic crisis. I have personally spent at least 35 hours on Census-related work since the release of the most recent Memorandum, that I otherwise would have spent on other areas of work, including on development, implementation, overseeing daily operations, coordinating with partner organizations, and overall day to day operations.

16. ADC puts significant resources in Census education and outreach work because our members and the communities we serve face significant negative consequences in the event of an undercount. As noted above, ADC has members in all 50 states plus Washington, DC, as well as a national network of chapters. These include chapters in; Los Angeles and Orange County, California; Miami and Orlando, Florida; Austin and Dallas, Texas; Northern New Jersey; New

York, New York; and Tucson and Phoenix, Arizona. ADC has Board of Directors, most of whom membership elects, and all of whom are also ADC members and represent a cross-section of the United States.

17. For example, ADC has members in California, including Dr. Souhail Toubia, who is based in Orange County, California, and George Majeed Khoury, a San Diego, California member. I understand that California is likely to lose at least one seat in Congress if the Memorandum is implemented. Therefore, these members will be directly harmed by the policy to exclude undocumented residents from the apportionment base, as they will lose political representation. These members' communities are likely to also lose federal funding as a result of this policy, as they live in areas with significant populations of undocumented individuals and non-citizens generally, who will also be less likely to fill out the 2020 Census because of this policy as well.

18. ADC has members in Florida as well, including Shata Atiya, who is based in Miami. I understand that Florida is likely to lose at least one seat in Congress if the Memorandum is implemented. Therefore, Ms. Atiya will be directly harmed by the policy to exclude undocumented residents from the apportionment base, as she will lose political representation. Ms. Atiya's community is also likely to lose federal funding as a result of this policy, as she lives in an area with a significant population of undocumented individuals and non-citizens generally, who will also be less likely to fill out the 2020 Census because of this policy as well.

19. ADC also has members in New Jersey, including Tawfiq Barqawi, who lives in Gloucester County, New Jersey. I understand that New Jersey is likely to lose at least one seat in Congress if the Memorandum is implemented. Therefore, these members will be directly harmed by the policy to exclude undocumented residents from the apportionment base, as they will lose

political representation. Mr. Barqawi's community is likely to also lose federal funding as a result of this policy, as he lives in an area with significant populations of undocumented individuals and non-citizens generally, who will also be less likely to fill out the 2020 Census because of this policy as well.

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 6, 2020, in Washington, D.C.

Samer E. Khalaf