Exhibit 37

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

STATE OF NEW YORK, *et al.*, Plaintiffs, v. TRUMP, *et al.*, Defendants.	20 Civ. 5770 (JMF) **DECLARATION OF ROBERT RAPOZA**

Pursuant to 28 U.S.C. § 1746(2), I, Robert Rapoza, 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 Executive Director for the Rhode Island Board of Elections. I oversee the regulation of various aspects of the elections process within Rhode Island. I have been employed by the Rhode Island Board of Elections since 1998 and was appointed Executive Director in 2017.

3. The mission of Rhode Island Board of Elections is to protect the integrity of the electoral process and to effectively and efficiently administer the provisions of the election laws of the United States and the State of Rhode Island.

4. The Rhode Island Board of Elections has an important interest in providing and ensuring for an accurate election and that persons who lawfully vote in an election have their ballot counted. The manner in which the State draws its redistricting lines also affects the electoral process since it determines what candidates may run in a given district and who may vote (and be represented) in a given district.

5. Other sources of data for the purposes of redistricting is not possible, as use of Census data is mandated by the Rhode Island Constitution and by statute. See R.I. Const. art. VIII § 1; R.I. Gen. Laws §§ 22-1-2 and 22-2-2. Census data is used to establish Rhode Island House

and Senate districts. For example, the Rhode Island Constitution states that "the general assembly shall, after any new census taken by authority of the United States, reapportion the representation to conform to the Constitution of the state". R.I. Const. art. VII § 1. Identical language is used with respect to the Senate. *See* R.I. Const. art. VIII § 1.

6. As Executive Director, I have regular contact with dedicated professionals throughout the state who work to carry out the mission of the Board. Through these contacts and through my duties as Executive Director, I have firsthand knowledge of the negative impact that an undercount will have on Rhode Island's representational interest.

7. Furthermore, as someone who works to ensure a fair and accurate electoral process in a state with a large immigrant community, I can attest to the fact that a Census undercount will negatively impact Rhode Island's representational interest due to its diverse population. For example, due to higher numbers of noncitizens in the City of Providence, an undercount means that Providence will likely lose representation in the Rhode Island General Assembly, and other parts of the state will have greater representation. Other communities with high numbers of noncitizens will similarly suffer from undercounts and its representational effect.

8. Lastly, in executing my duties and responsibilities as Executive Director of the Rhode Island Board of Elections, I have personal knowledge of the harmful impact that a Census undercount will have on providing for and ensuring an accurate and fair electoral process in Rhode Island. Residents of likely undercounted areas such as Providence will have less of a voice in their state and local governments and they will be denied equal protection of the laws.

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

Executed on this 5th day of 8, 2020

RB Rapoza

ROBERT RAPOZA