Exhibit 49

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 ANASTACIA WYATT**

Pursuant to 28 U.S.C. § 1746(2), I, Anastacia Wyatt, 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 Housing Program Manager for the County of Monterey. I oversee the U.S. Department of Housing and Urban Development (HUD) programs that include: the Community Development Block Grant (CDBG) Program, federal HOME Investment Partnerships Program, advise on County Emergency Solutions Grant (ESG) funds and work with the Continuum of Care and its homeless programs. I have been employed by the County of Monterey since February, 2019.

3. The Housing office of Monterey County manages federal housing and community development programs that rely on Census data to determine where low-moderate income communities are and their housing and community development needs. The County of Monterey partners as a CDBG consortium with several small cities that have predominantly low-moderate income populations and people earning lower income wages in the agriculture and hospitality industries. Lower income wages affect the community in Monterey due to high costs of living. Additionally, many in the lower income communities are minorities and have been affected by disparate impacts that have affected their housing, education, health care, nutrition and ability to seek better outcomes. Many in communities in Salinas and the southern portion of the county are

foreign-born and have been afraid of public charge threats by President Donald Trump. Many are dropping necessary benefits such as food stamps and medical.

4. Based on County Census data, the majority of Salinas's residents are Hispanic, a higher proportion than in the overall region. Salinas has larger proportions of Hispanic residents (75 percent) than Seaside (43 percent), Monterey (14 percent), or the Urban County (50 percent). As part of the Urban County, Greenfield (91 percent) and Gonzales (89 percent) also have high proportions of Hispanic residents. According to the 2010 Census, the racial/ethnic composition of the Urban County's population was: 44 percent White (non-Hispanic); 49 percent Hispanic; four percent Asian and Pacific Islander; one percent Black; and two percent indicating other ethnic groups. In comparison, the State-wide ethnic distribution was slightly more diverse, with 40 percent White (non-Hispanic); 38 percent Hispanic; 13 percent Asian and Pacific Islander; six percent Black; and three percent other ethnic groups. 5.

5. According to 2012-2016 American Community Survey (ACS)[1] estimates, about 30 percent of Monterey County residents were foreign-born. Compared to the County, Salinas (38 percent) and Seaside (30 percent) had similar proportions of foreign-born residents; however Monterey (17 percent) had a much lower proportion than in the region. In the Urban County, approximately 14 percent of Del Rey Oaks, 42 percent of Greenfield residents, 34 percent of Gonzales residents, and 13 percent of Sand City residents were foreign born.

6. In 2010, household size in Monterey County varied from 2.73 for White households to 4.38 persons for Hispanic households. As Greenfield, Gonzales, Salinas, and some unincorporated communities had a high concentration of Hispanic households, it is likely that Hispanic households in these cities are disproportionately impacted by overcrowding, given the larger average households size. It is imperative that the County understands its housing needs and depends greatly on Census data to provide valuable data to find solutions for housing instability and overcrowding.

7. Seniors (persons age 65 and above) are gradually becoming a more substantial segment of a community's population. Elderly households are vulnerable to housing problems and

[1]The 2010 Census contains only limited data about the population. The Census has instituted a new method of providing updates to socioeconomic data regarding the population using the American Community Survey (ACS). ACS is a limited sample of the population but is conducted more frequently than the Census. Sample data are averaged over a period of time. Also, different variables are surveyed at different frequency schedules depending on the size of the community, resulting in multiple sets of ACS data.

housing discrimination due to limited income, prevalence of physical or mental disabilities, limited mobility, and high health care costs.

8. Census data is vital to the County's understanding of senior needs. Seniors are one of the most vulnerable and high-risk groups who are entering homelessness. We rely on age information from the Census to make decisions about where to allocate resources and how to serve our population. The County needs to ensure Census data is accurate to protect the housing and vital public service programs that serve seniors through programs such as CDBG and HOME. During COVID, seniors have had difficulty obtaining services in Monterey County, such as caregiving and food and nutrition.

9. According to the 2012-2016 ACS, nine percent of the Monterey County population had one or more disabilities, compared to about eight percent of the population in the Urban County, and similar proportions in Salinas (eight percent), Seaside (10 percent), and Monterey (10 percent). Special housing needs for persons with disabilities fall into two general categories: physical design to address mobility impairments and in-home social, educational, and medical support to address developmental and mental impairments. For those disabled with a developmental or mental disability, one of the most significant problems is securing affordable housing that meets their specialized needs. Housing needs can range from institutional care facilities to facilities that support partial or full independence (such as group care homes). Supportive services such as daily living skills and employment assistance need to be integrated into the housing situation also. The disabled person with a mobility limitation requires housing that is physically accessible.

10. In order for the County and Cities to plan for people with disabilities and the type of disability, an accurate Census count is imperative for planning public services, transportation, housing and community centers.

11. Relatedly, the County and Cities depend upon Census data to target the distribution of federal funding, including for programs such as CDBG, HOME and ESG, which provide low-moderate income communities with homeless shelters, public services, infrastructure and housing.

12. Census data is the standard data relied upon by federal housing and community development programs through HUD, United States Department of Agriculture (USDA), and Economic Development Administration (EDA). ACS is updated every few years and the basis is

the 10-year Census count. Without a solid decennial Census count, ACS data will not be accurate either.

13. Reduced Census self-response rates will undermine the quality of the Census characteristic data that federal programming of funds relies on, such as race, ethnicity, age, income levels, housing tenure and more.

14. Because Monterey County has many low-moderate income and minority communities, an undercount could drastically affect housing and community development negatively. Monterey County has a high proportion of people that are considered hard to count and many have been afraid by the President's rhetoric and threats with public charge. Many are afraid to answer questions regarding the Census and many are afraid to seek assistance. The County cannot afford to undercount.

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

Executed on this 3rd day of August, 2020

Anastacia Wyatt
Housing Program Manager
County of Monterey