Exhibit 48

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 CHRISTOPHER A. WHEELER**

Pursuant to 28 U.S.C. § 1746(2), I, CHRISTOPHER A. WHEELER, 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 Chief Data Officer for the New Jersey Department of Community Affairs (the Department). I oversee data reporting, data analysis, and program evaluation for the Department. The New Jersey Department of Community Affairs is a state agency created to provide administrative guidance, financial support, and technical assistance to local governments, community development organizations, businesses and individuals to improve the quality of life in New Jersey. The Department offers a wide range of programs and services that respond to issues of public concern including fire and building safety, housing production, community planning and development, and local government management and finance.

3. I have been employed by the New Jersey Department of Community Affairs since 2015. I hold a bachelor's degree in Political Science from Temple University, a master's degree in Government Administration from the University of Pennsylvania, a master's degree in Public Affairs from Rutgers University—Camden, and a doctorate in Public Affairs from Rutgers University—Camden.

4. As Chief Data Officer, I routinely use Census data to inform Department leadership of the latest demographic, economic and housing trends, gauge the effectiveness of Department

neighborhood programs, and evaluate applications for the Department's place-based programs. In addition, we regularly use Census data to establish eligibility for neighborhood programs, including deciding where state funds for community and economic development should be allocated.

5. Census data on ethnicity is very important to the Department. We use it to identify neighborhoods with significant demographic changes, which we use in gentrification analyses. We also use it in analyses to identify vulnerable environmental justice communities. Environmental justice community definitions typically include some measure of minimum minority concentration, as this often signals the presence of disempowered residents with a reduced capacity to stop the environmental pollution in their neighborhoods. These analyses help the Department appropriately target funds to the areas most in need.

6. The Department relies mainly on Census data because it is the most reliable, comprehensive, and up-to-date data source available at the municipality and neighborhood levels, which are the focus of many Department programs.

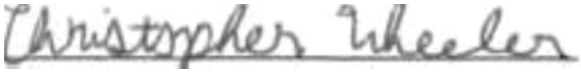
7. Reduced Census self-response rates would compromise the accuracy of the data we use for the analytical, planning, and funding purposes described in the paragraphs above. For example, an artificial reduction in the low-income population from inaccurate Census estimates could falsely signal gentrification with displacement in our gentrification analyses. We are implementing safeguards for some programs to ensure that state funds are not used to displace existing residents, but those safeguards will be undermined if there is an undercounting of low-income residents. Such undercounts could lead the Department to inappropriately deny eligibility to a neighborhood for a community development program.

8. In addition, a less accurate Census estimate of the number of low-income persons within a particular neighborhood would affect the neighborhood's eligibility for our Neighborhood Preservation Program and Neighborhood Revitalization Tax Credit Program. We rely on accurate Census data regarding household incomes to establish eligibility for these programs in line with Department regulations and state law, which require that a sufficient concentration of low-income households to be represented in a neighborhood. Neighborhoods that would ordinarily qualify for these programs could potentially fail to qualify if the Census data is inaccurate. Approximately $17.5 million in grant funding is administered to municipalities and non-profit organizations annually through these two programs.

9. In sum, inaccurate Census data could result in an under-allocation of state community and economic development funds to communities in need, while impairing the Department's understanding of community level demographic trends, which is essential to crafting viable policy responses. Inaccurate Census data would produce substantial harm to the Department, compromising its ability to effectively administer programs serving vulnerable neighborhoods and municipalities.

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

Executed on this 4th day of August, 2020



Christopher A. Wheeler, MGA, MS, PhD