Exhibit 1

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 OSWALDO ALVAREZ, ILLINOIS STATEWIDE CENSUS CO-DIRECTOR**

Pursuant to 28 U.S.C. § 1746(2), I, Oswaldo Alvarez, 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 Oswaldo Alvarez, the Illinois Statewide Census Co-Director for the Illinois Department of Human Services and the State of Illinois. I oversee the Illinois Census efforts, including grant administration, outreach and education, statewide marketing, and coordination. I have been employed by the Illinois Department of Human Services since 2019.

3. In June 2019, Governor JB Pritzker signed Executive Order 19-10 to ensure an accurate 2020 Census count in all communities across Illinois. The Order established a new Census Office within the Illinois Department of Human Services (IDHS) and established a Census Advisory Panel, appointed by the Governor and by both Democratic and Republican legislative leaders and made up of State legislators, a former State legislator, and members of the philanthropic community.

4. The Illinois Census Office is charged with coordinating statewide census efforts. The Illinois Census Office works closely with the Office of the Governor and enlists the assistance

of all State agencies and departments within the executive branch to, among other things, identify opportunities for education and promotion of the 2020 Census with Illinois residents.

5. The Illinois Census Office carries its charge through three main functions: (1) targeted statewide marketing, (2) data analysis, coupled with tract-level reporting, and (3) grants to community-based nonprofits and municipalities across Illinois to support Census outreach and education, direct engagement, and Census questionnaire assistance. Combined, the Illinois Census Office funds and coordinates over 350 organizations across the state. The Illinois Census Office coordinates statewide strategies, both through digital and in-person activities, targeting those communities with low self-response rates.

6. The Illinois Census Office's mission is for Illinois to have a complete and accurate count so that all communities receive their fair share of federal resources and are fairly represented, both locally and nationally. The messaging campaign – "Everyone Counts!" – targets **all** Illinoisans**,** from children ages 0-5 to seniors and older adults regardless of immigration status.

7. For Fiscal Year 2020 (July 1, 2019 to June 30, 2020), the Illinois General Assembly allocated $29 million to promote the 2020 Census and to support outreach and education targeting Hard to Count (HTC) communities across the state. The Illinois General Assembly approved an additional $14.5 million in Fiscal Year 2021 (July 1, 2020 to June 30, 2021) to continue Census efforts and to ensure that the State of Illinois receives a complete and accurate count. HTC communities include racial and ethnic minorities, foreign-born persons with limited English proficiency, persons living close to or below poverty, migrant farm workers, and people who distrust the government.

8. The unprecedented COVID-19 pandemic has strained the Illinois Census Office's outreach efforts, creating the need to pivot strategy to digital media and other means to maintain social distancing, meet stay-at-home requirements, and reduce in-person contact. Although our grantees have been successful in their digital outreach, many of the hardest-to-count communities lack internet access and "smart" technology, making it much harder to reach them through digital media. Hence, the Illinois Census Office supported the U.S. Census Bureau's proposed self-

response extension to October 31, 2020, contingent upon direction from the Centers for Disease Control and Prevention and the Illinois Department of Public Health, in order to resume in-person activities and operations during the summer of 2020.

9. Nationally, immigrant communities and communities of color have some of the lowest self-response rates among HTC populations. Illinois is no different. In Chicago, the immigrant majority neighborhoods of New City and South Lawndale, for example, presently have response rates of lower than 36%, significantly lower than Chicago's average of 55.4% and Illinois's average of 67.4%. Additionally, rapidly growing cities like Waukegan, Elgin, Aurora, and Joliet, also with newer immigrant populations, have census tracts with current response rates lower than 40%. In addition to the technology challenges communities face, many of these Census tracts are the same ones impacted hardest during the COVID-19 pandemic. High rates of COVID-19 compounded with joblessness and the need for basic resources, such as food, have resulted in a low number of households completing the 2020 Census.

10. Grantees of the Illinois Census Office are reporting an increase in confusion amongst immigrant communities after the July 21, 2020 Presidential Memorandum was issued. Community partners raised issues of fear among communities, believing that their data will be shared with law enforcement agencies. One of our community partners, Rincon Family Services, reported to me on August 4, 2020 that the Presidential Memorandum is creating unnecessary fear and anxiety for the immigrant families it serves on the Northwest Side of Chicago, undermining its ability to engage with those families and execute its strategy to ensure a complete census count.

11. The Presential Memorandum released on July 21, 2020 harms the Illinois Census Office's messaging campaign because it suggests that not everyone counts in the census for all purposes. The Illinois Census Office has invested over $40 million in promoting the constitutional mandate – specifically, Article I, Section 2 of the Constitution as amended by Section 2 of the Fourteenth Amendment, and related statutes – requiring that every resident be counted in the census as one person and included in the basis for reapportioning congressional districts. The

Memorandum hurts and undermines the Illinois Census Office operations because it contradicts the messaging and creates confusion among Illinois' residents.

12. To mitigate the negative impact of the Presidential Memorandum on response rates, the Illinois Census Office has had to and will continue to:

- Spend a considerable portion of our advertising budget on a series of digital ads, specifically designed to address misinformation about the Census, particularly misinformation that concerns immigrants and foreign-born residents, including making clear that the federal "72-Year Rule" (92 Stat. 915; Public Law 95-416; October 5, 1978), reassures individual Census data confidentiality by restricting access to decennial census records to all but the individual named on the record or their legal heir until 72 years after the census took place (until 2092 for the 2020 census);
- Advertise Illinois's Census text support services in-language, specifically to immigrant communities who may need help filling out the Census due to fears about how their information will be used;
- Work with local leaders and organizations to produce social media videos and other digital communications that reassure the immigrant community that the Census is safe and important; and
- Create printed materials about the Census that can be distributed at COVID-19 testing sites and other resource centers, many of which serve minority and immigrant neighborhoods.

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.

/s/ Oswaldo Alvarez

Oswaldo Alvarez
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