



The Navajo Nation Office of the President and Vice President

CONTACTS:

Jared Touchin, Communications Director
(928) 274-4275

Crystalayne Curley, Sr. Public Information Officer
(928) 274-2758

nnopvp.communications@gmail.com

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U.S. District Court clarifies previous rulings and orders the 2020 census count to continue through October, appeal pending in higher court

WINDOW ROCK, Ariz. – On Thursday, U.S. District Court Judge Lucy H. Koh of the U.S. District Court for the Northern District of California issued an order that clarifies the court’s previous order issued on Sept. 24, 2020, which granted Navajo Nation and co-plaintiffs’ motion for stay and preliminary injunction. Judge Koh issued the clarification after several complaints from census field-workers surfaced suggesting that the Bureau was winding down field-operations, in violation of the stay and preliminary injunction.

Federal defendants also announced on Sept. 28, 2020 that the Sept. 30, 2020 deadline for the census count remained in effect, in violation of the stay and preliminary injunction. Thursday’s order clarified that the Census Bureau is required to continue the 2020 census count through Oct. 31, 2020 and to notify all Census Bureau employees of the injunction. The U.S. Census Bureau appealed the rulings, which have yet to be decided upon by the Ninth Circuit Court of Appeals.

The Navajo Nation officially joined the lawsuit on Sept. 1, 2020, against the U.S. Census Bureau and the Department of Commerce based on the adoption of an illegally expedited plan, known as the “Replan,” which shortened the time to complete data collection for the 2020 Census by imposing a new deadline of Sept. 30, 2020. The Navajo Nation and other plaintiffs contend that federal defendants illegally curtailed time to complete the 2020 census, threatening to cause a significant undercount of minority populations, including members of the Navajo Nation.

“All Indigenous peoples have the right to be counted in the 2020 Census. The clarification and orders from Judge Koh are a step in the right direction, but the fight for our Navajo people to be counted continues in the Ninth Circuit Court of Appeals. The COVID-19 pandemic has created unprecedented challenges for all tribes to respond for the 2020 Census, especially for our people who live in remote areas without basic infrastructure. We have a strong coalition of supporters and co-plaintiffs that are fighting alongside us. I commend the work and commitment of Navajo Nation Asst. Attorney General Paul Spruhan, under the leadership of Attorney General Doreen McPaul,” said Navajo Nation President Jonathan Nez.

On Aug. 31, President Nez and Vice President Myron Lizer issued a proclamation recognizing the month of September 2020 as “Navajo Nation Census Month,” to encourage the Navajo people to

participate in the 2020 Census to ensure a complete count of all citizens on the Navajo Nation. As of Thursday, the Navajo Nation's response rate for the 2020 Census was only 21.7 percent.

In the month of September, the Nez-Lizer Administration partnered with Census officials to offer on-site information and assistance to be counted in the 2020 Census count, as President Nez and staff members distributed food and care packages in 32 communities to over 6,000 residents of the Navajo Nation.

"Getting counted for the 2020 Census is already very challenging for many households due to the lack of telecommunications infrastructure in many Navajo communities, and the COVID-19 pandemic compounded those challenges. We need adequate time to complete the 2020 Census with an accurate count," stated Vice President Lizer.

The Nez-Lizer Administration encourages everyone to self-respond for the 2020 Census online at <https://2020census.gov>, by calling (844) 330-2020, or in-person at upcoming food and care package distribution sites.

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