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**FACSIMILE TRANSMISSION**

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| TO: Bernard Zimmerman | FAX NUMBER: 670-234-7139 | DATE: June 2, 1995 |
| FROM: Grace Suarez    | FAX NUMBER: 415/553-9725 | NUMBER OF PAGES:   |

**SUBJECT: Chamorro language requirements**

Had a chat with Ed Chen re your questions: 1) about requiring government employees to speak Chamorro as a condition of employment; 2) teaching Chamorro in the schools; and 3) requiring candidates for office to speak Chamorro (which Ed said was a question of yours transmitted to him through Maggie that he had not had a chance to answer).

He thought there was no problem with (2). Teaching the native language in the schools seems to be common pattern in post-colonial countries

He said he did not know of any cases on (1) and (3), but that if the proponents could show that (a) a substantial number of people either spoke Chamorro only or at least spoke it as a first language and were not comfortable or fluent in English, it could be considered a bona fide occupational requirement. The requirement for candidates is a little more problematic because of the restrictions it would place on the right to representative government, but again it could be viewed as providing meaningful access to one's government.

On the other hand, if everyone in CNMI is fluent in English, such requirements might be viewed as being simply a means to keep non-Chamorro speakers (meaning basically all foreigners, since I doubt anyone who is not a native speaks Chamorro) out of the political process and the job market.

This transmission is intended to be a confidential communication within the meaning of Evidence Code section 952. If it has come to you in error, we would deeply appreciate it if you would inform us as soon as possible. Thank you for your consideration.