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October 24, 2012

The Honorable Arne Duncan
Secretary
U.S. Department of Education
400 Maryland Ave., SW
Washington, D.C. 20202

Dear Secretary Duncan:

I write to request a status update on the State Fiscal Stabilization Fund (SFSF) Maintenance of Effort waiver application submitted by the Commonwealth of the Northern Mariana Islands (CNMI) for Fiscal Year 2010.

The Department of Education's Office of Legislative and Congressional Affairs has previously informed me that the Department's SFSF Implementation and Support Unit has received the CNMI's waiver application, but that there are issues with the supporting documentation and with the calculation methodology the CNMI proposes to use. The application is not available for public inspection. The Northern Marianas Public School System, which is the primary beneficiary of the maintenance of effort requirement, has reviewed relevant financial information that is public record and concluded that the CNMI has not met its local funding obligation under terms of the SFSF grant.

My concern in this matter is that the Congressional intent in the American Recovery and Reinvestment Act – namely, that the SFSF not be used to supplant local funding for elementary and secondary schools and for higher education – not be circumvented to the detriment of students in the Northern Mariana Islands. We have already entered Fiscal Year 2013. If local funding has not been maintained in accordance with the requirements of the original SFSF grant, then students and educators in the Northern Marianas may have been shortchanged for a number of school years. As you appreciate, any negative impact on student learning that resulted from lack of financial resources would be difficult to ameliorate after the fact.

I respectfully request that the Department of Education make the SFSF MOE waiver application for Fiscal Year 2010, submitted by the CNMI, available for inspection and that the Department resolve this matter in a timely fashion, providing full and fair consideration, consistent with all applicable laws, rules, and regulations. If Northern Marianas students are entitled to a greater level of financial support under terms of an

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agreement between the CNMI and the federal government, then we must ensure that that support is quickly forthcoming.

Thank you for your consideration of this request.

Sincerely,



GREGORIO KILILI CAMACHO SABLAN
Member of Congress

cc: The Honorable John Kline, Chairman, House Education and the Workforce Committee
The Honorable George Miller, Ranking Member, House Education and the Workforce Committee
The Honorable Benigno R. Fitial, Governor, CNMI
The Honorable Eloy S. Inos, Lt. Governor, CNMI
The Honorable Paul A. Manglona, President, Northern Mariana Islands Senate
The Honorable Eli D. Cabrera, Speaker, Northern Mariana Islands House of Representatives
Ms. MaryLou S. Ada, Chairman, Northern Mariana Islands Board of Education
Dr. Rita A. Sablan, Commissioner of Education, Northern Mariana Islands Public School System
Dr. Sharon Hart, President, Northern Marianas College