

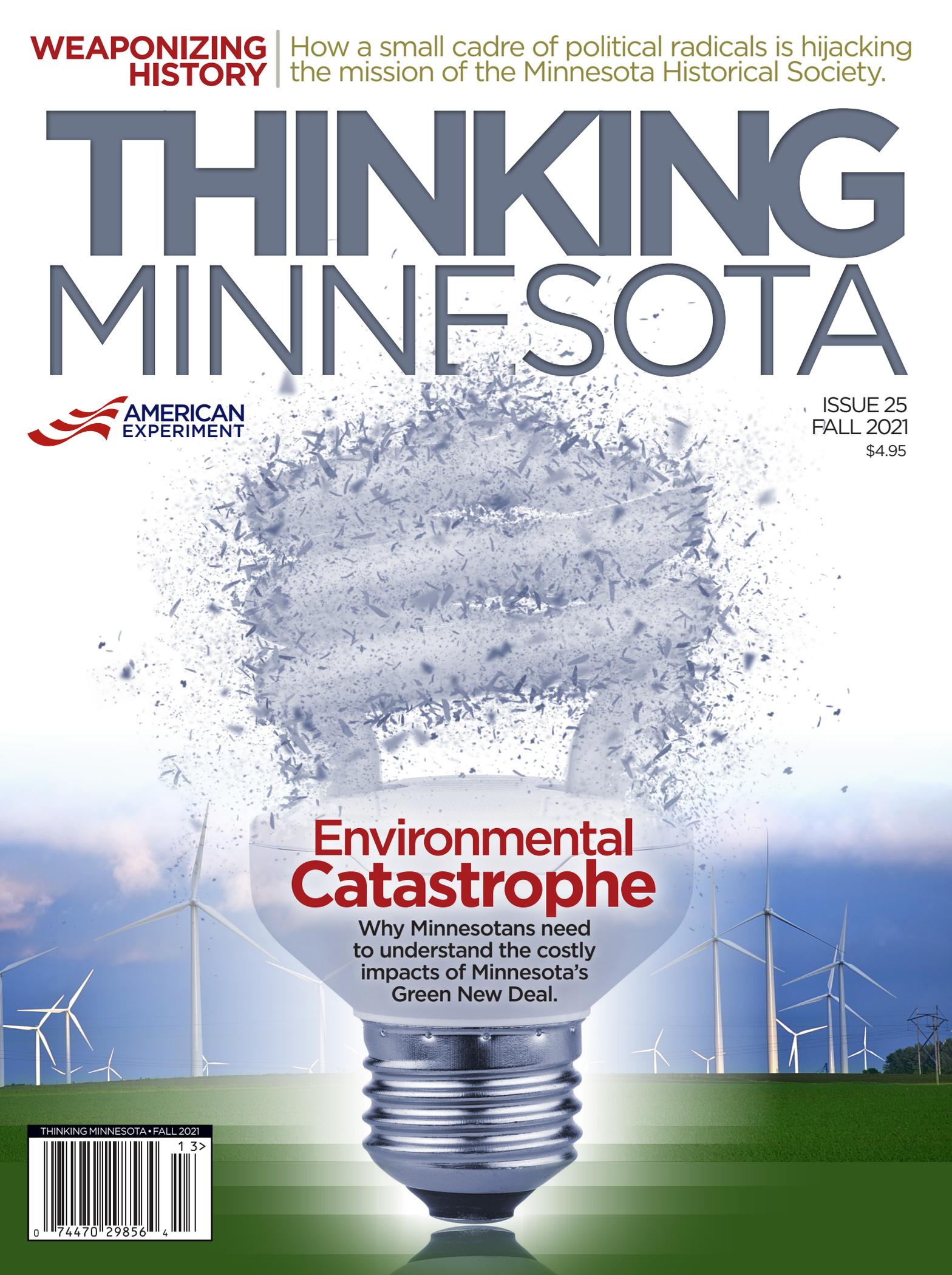
**WEAPONIZING
HISTORY**

How a small cadre of political radicals is hijacking the mission of the Minnesota Historical Society.

THINKING MINNESOTA



ISSUE 25
FALL 2021
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Environmental Catastrophe

Why Minnesotans need to understand the costly impacts of Minnesota's Green New Deal.

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BEG THE QUESTION

Donors have right to ask how nonprofits are using their money

A class of conservative donors in Minnesota — many of them *very* generous — increasingly suspects that local nonprofits will divert their donations to underwrite woke political programs that repudiate their core values and disparage their contributions to society. And I'm one of those donors. I suspect grassroots donors share similar exasperations.

I have been investing, donating and raising money for organizations and startup companies for most of my adult life. I know many of these donors very well. They are community leaders who want to use some of the proceeds of their success to help sustain Minnesota's quality of life. They want to build our culture, not tear it down.

A case in point: Most contributors will be shocked by Kathy Kersten's expose ("Weaponizing History," page 32) that describes how a clique of liberal activists has hijacked the mission and operations at the Minnesota Historical Society (MNHS).

Her account describes how these radicals are promoting a revisionist historical narrative "that paints Native Americans as good/victims and Minnesota settlers as evil/oppressors." Further, she says, the historical society argues that Minnesota's current residents are here illegally, and that the land "rightfully belongs to the Dakota Indians."

Minnesotans have long admired the historical society's solid public reputation. But Kathy's piece repeatedly shows how its "new revisionist narrative is inconsistent with history as documented in its own extensive collections and publications."

MNHS, she says, now casts Fort Snel-



Ron Eibensteiner

ling's "rich, 200-year military legacy" as a site of "genocide and minority victimization." Incredibly, its website even includes the logo of the International Coalition of Sites of Conscience, connecting it with sites of mass murders like Soviet gulags and Nazi death camps.

I had to read her piece twice before I could comprehend the surreal insolence of this effort. Why would a conservative or moderate donor want to contribute even a single dollar to an organization that traffics such absurdities?

The answer is, they wouldn't. Or shouldn't.

This current generation of donors has evolved from a proud history of community leaders who once headed locally grown companies — Pillsbury, Dayton's,

Cargill, General Mills, to name a few — primarily family-run entities that supported the economy of the Twin Cities. And because they lived here, they cared about our local quality of life. They, not the government, funded and helped operate the orchestras, theaters, youth groups and medical organizations that sustained our cultural wellbeing.

They were businesspeople who shared common values with their local communities. Things like the liberating principles of free enterprise, the significance of hard work and how the availability of meaningful jobs could provide the elixir that helps solve many of society's ills. They took it for granted that two-parent families provided the gravitational center that sustained the safety and welfare of their communities.

The current generation of donors lives by those same values but, sadly, many of the nonprofits they support don't. These organizations increasingly embrace the progressive agenda that non-white America is a culture of victims. They view the world through a lens of racism. They denounce capitalism, and now even deride the importance of traditional families.

Even though polling shows that the beliefs of radical progressives enjoy meager popularity in America, these activists have hip-checked their way to prominence through a combination of sheer audacity and the elite company they keep. They are loud and brash; they are unafraid to bend or even invent facts to support their arguments. And they've created a "cancel culture" that destroys anyone who disagrees with them. Their co-conspirators include a toadying

media, unaccountable university cultures, the entertainment industry, professional sports leagues, and even Wall Street.

And I tell donors to watch carefully as this movement comes to a nonprofit near you. And I do mean *watch carefully*.

We're hopeful that *Thinking Minnesota* will soon provide a comprehensive analysis of this phenomenon.

My guess is that our researchers will discover how easily woke insiders can co-opt nonprofit cultures. To start with, the kind of people that run or volunteer at nonprofits tend to share progressive

**Someone recommended
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political distractions.
I think that idea has merit.
And urgency.**

ideologies. Plus, anyone watching AOC and her "tax the rich" gown at the Met gala might conclude that it's become cool to show solidarity with that political movement.

They'll observe how corporate leaders in Minnesota and America avoid these confrontations at all costs. I am personally mystified by the "woke capitalists" who currently occupy the C-suites of major corporations. It seems to me they have thrust a wet finger in the breeze and decided to follow the path of least political resistance. The displays of "Black Lives Matter" signage that decorate

much of corporate America represent a vaccine against protest as much as any endorsement of the organization.

A final and looming reason for concern arises from what I predict will be a rise in public spending for nonprofits. Organizations that receive fat amounts of public funding become less responsive to their communities. The proposed Drunken Sailor spending bills in Washington will undoubtedly earmark social "infrastructure" dollars to help nonprofits operate from an AOC/Ilhan Omar playbook, free from the input of politically diverse boards of community donors.

Witness how public-school educators have imposed the public-be-damned "white privilege" curriculum in their classrooms. But also pay attention to the way local activists are mobilizing to prevent Critical Race Theory from infiltrating their hometown classrooms. And watch how they are working to eliminate efforts by bureaucrats at Minnesota's Department of Education to redefine American history standards. (To see how American Experiment plays a role in that effort, look at page 16.)

The donor class can also make a difference. People who contribute to nonprofits often feel frustrated that organizations value their input solely in financial terms. They want your money and nothing else. We have to change that. Donors at the historical society, for example, should be pounding on doors and demanding accountability and community input. Major donors, in particular, have become community leaders through a track record of successfully getting things done. They/we should apply the same discipline we use in business to how nonprofits spend "donors' money."

Someone recommended that local donors create a sort of "Good Housekeeping Seal of Approval" that examines how well nonprofits adhere to their core missions and avoid political distractions. I think that idea has merit. And urgency. ★



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SOMEONE WHO
HAS GIVEN HIS
OR HER LIFE
TO SOMETHING
BIGGER THAN
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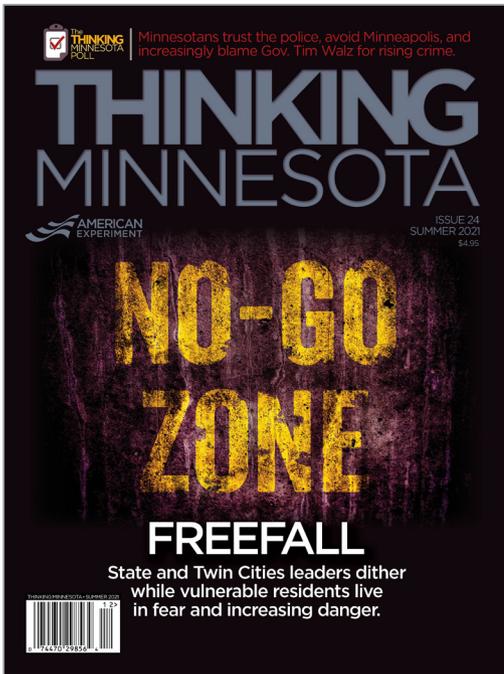
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The Wrong Person to Head Xcel

> The 8/15/21, *Star Tribune* article announcing how Bob Frenzel will be taking over the helm of Xcel's energy fleet shows how he is the wrong person for the job. The primary responsibility of this individual should be to assure that Xcel can provide reliable power, both base load and peaking. Reliable power both in terms of generation and transmission. Power that is available during stretches of 90 degree days and -30 degree nights. Mr. Frenzel appears to be more concerned with the addition of "carbon free" generation in the form of wind and solar generation to the company.

As customers, we want not only reliable but low-cost energy. Unfortunately Xcel is not really

a private company; it is a government-approved monopoly utility that is

Ron Eibensteiner's fine article, "Field of Nightmares," was wonderful in that someone so influential has the courage to speak out against the Twins politicizing America's Pastime.

guaranteed to make a 7.5 percent profit on every dollar it spends on infrastructure such as wind turbines and solar panels. Whether Mr. Frenzel believes in this "green energy" (sic), he knows that 7.5% of \$4 billion in spending is better for the stockholders than 7.5% of \$800 million; profit on the backs of its customers.

Under this arrangement, the stock-

holders aren't going to force Mr. Frenzel out because he is making them money. The State isn't going to change their part in this monopoly without combined citizen and legislative outrage. Is it not time?
—Name withheld.

Education Standards

> I think it would be helpful for readers, especially parents, to ask their schools about what their children will be learning. Parents need to know they are entitled to know what materials their children's teachers are going to be using so they can individually protest or ask to have their child opted out when those materials are presented.

—Trudy Madetzke

> This idea that kids need to be taught racism and divisiveness infuriates me. I can't believe that these politicians think this is good for this country. Public education needs to get back to teaching actual history and teach students to think for themselves so they can learn from history, not erase it.

—Kelly Nosko

Crime Out of Control

> From 1983 to 1988, I worked as a campus security guard at the University of Minnesota. I carried a police-band radio and heard all dispatches from the University Police Department. This was the early 1980s. Crime was a national issue. Not once in the five years did I hear a dispatch for car-jacking, aggravated assault or shots fired. About the worst thing I ever heard was kids smoking pot, homeless people urinating in public and people stealing bikes. Now my son is at The U and I get a text at least once a week from the university informing me of car-jackings, aggravated assaults and shots fired. These crimes are happening right in the middle of Dinkytown and Stadium Village.

I think the people of the Twin Cities need to wake up. Minneapolis and St. Paul are well on their way to becoming the next Chicago or Detroit. That is

The Political Twins

> Ron Eibensteiner's fine article, "Field of Nightmares," was wonderful in that someone so influential has the courage to speak out against the Twins politicizing America's Pastime. Wonderful also, that he took action and turned in his season tickets. That was also a personal sacrifice. Good job, Ron.

Mr. Eibensteiner mentioned one thing however, to which everyone should take exception. It is that the Twins pledged \$25 million, he says in part, which "could go a long way to securing our streets, improving the outcomes in Minneapolis schools, and working to rebuild black families." We have been throwing money at these problems forever, and the problems only keep getting worse.

While these problems are complex, influential people need to have the courage to speak to the underlying fundamental problem which is the destruction of the nuclear family - the two-parent family. None of these societal problems will ever be solved until we solve the foundational problem - single parent households.

—Earl Faulkner Sr., Edina



THINKING
MINNESOTA

the same time, it deplores smokers and smoking. Putting two and two together, the only logical conclusion is that the state wants you to BUY the cigarettes, it just doesn't want you to SMOKE the cigarettes. Keep up the good work.

—James Eelkema, M.D.

I never thought I would say it, but **maybe it's time to transfer our kids to The University of Wisconsin.**

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—Luis Howard

not hyperbole. If you have students at The U, I strongly urge you to contact the president of The U, the mayor of Minneapolis, and the governor about this situation.

I never thought I would say it, but maybe it's time to transfer our kids to The University of Wisconsin.

—Chris Edwards

Cigarette Revenue

> “Regressive and Ineffective” in your Summer issue was a great essay in a sea of great essays. Our state welcomes the cigarette tax revenue. At



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■ TAXES

Regressive and Ineffective

Tobacco taxes hurt low-income Minnesotans, small businesses.

BY MARTHA NJOLOMOLÉ

Progressive policymakers seem to love increasing tobacco taxes even though they don't deter smokers from smoking, unfairly target low-income Minnesotans, hurt small businesses, and force police to invest more hours into stopping cigarette smuggling instead of catching deadly felons.

Gov. Tim Walz may have backed off his \$1 per pack tax increase this year when the state found a \$1.6 billion budget surplus, but that didn't prevent the House Preventive Health Policy Division Committee from passing a bump of \$1.50 per pack. Democrats also introduced legislation to ban flavored tobacco outside. And just because these bills never made it to the governor's desk, it's clear Democrats intend to wage this war on tobacco into the foreseeable future. They believe here and have discov-

er people like Benji Shimons from flooding their cravings, and others from picking up the habit in the first place, based on declining smoking rates following former Gov. Mark Dayton's 150 percent increase in cigarette taxes, to \$1.40 per pack.

A smoker for 29 years, Shimons, 47, dutifully remembers the Dayton tax increase. "I was absolutely pissed," he says, and the fact that Walz proposed — and House Democrats double-dipped on — more tobacco taxes "is just a joke."

The number of smokers may have declined, but that's only part of the story. Shao-Hong Zhu, director of the Center for Research and Interventions in Tobacco Control at the University of California-San Diego, attributed the plummeting smoking rates mainly to e-cigarettes. Chinese smoker Hon L.A., who was going through three packs a day, got scared when his father died of lung cancer, and he invented the first electronic smoking device in 2003. This man nearly parallel to the trend of Minnesota quitting smoking, which goes back to the late 1990s.

A Minnesota Adult Tobacco Use survey, conducted by the state Department of Health and an anti-tobacco nonprofit called ClearWay Minnesota, shows that only 14 percent of adults were smoking in 2018, the last year covered in its analysis. That's down from 25 percent in

1999, a drop of nearly 40 percent. It's even more precipitous for high schoolers, according to the Minnesota Department of Health, as only three percent of students smoked cigarettes last year, compared to around 11 percent in 2000, a 90 percent decrease. Even when you account for e-cigarettes, tobacco use among high school kids fell from around 39 percent in 2008 to just over 20 percent in 2020, a 47 percent decline.

The high school rate is significant, according to the Centers for Disease Control and Prevention, as 1,600 youths smoke their first cigarette each day and nine out of 10 adult smokers started when they were 14. Like Shimons, he tells his nephews and niece to never try

Just because these bills never made it to the governor's desk, it's clear Democrats intend to wage this war on tobacco into the foreseeable future.

This story excerpted from a longer piece available at AmericanExperiment.org



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UP FRONT

Taxes

MINNESOTA, WE HAVE A PROBLEM

As taxes skyrocket, quality of life plummets.

Back in 2015, President Obama compared Minnesota favorably with Wisconsin, holding up our state's high, progressive taxes as the model for others to follow.

When I joined the Center in 2017, we were skeptical of this. The previous year, my colleague Peter Nelson produced a report showing that Minnesota was losing residents to, and failing to attract them from, other states. Our annual report on Minnesota's economy that year called its performance "lackluster," noting below average GDP growth. These weren't popular arguments at that time.

That skepticism is now much more widely shared. In March, Steve Grove, commissioner of Minnesota's Department of Employment and Economic Development, tweeted in celebration of our state being ranked the 2nd best to live in by U.S. News. He was roasted by progressives highlighting Minnesota's racial disparities and forced to issue a groveling clarification.

In May, the Star Tribune embraced a report from the Minnesota Chamber of Commerce which highlighted, among other things, our state's below average GDP growth and "lack of in-migration from other states" — sound familiar?

And a recent poll for our magazine, *Thinking Minnesota*, found that, while 45 percent of Minnesotans think our state is on the right track, 48 percent of us now

believe it is on the wrong track; this is up from 38 percent in March 2019 and 26 percent in March 2018.

A new consensus is emerging as progressives join conservatives in perceiving that all is not well in the state of Minnesota.

Consider those racial disparities. Prof. Samuel L. Myers, Jr. of the University of Minnesota recently listed disparities in graduation rates, homeownership rates, loan denial rates, mortality rates, suspension rates, wage and salary incomes, unemployment rates, child abuse and neglect report rates, traffic stops and even drowning rates. Prof. Myers noted that: "The coexistence in Minnesota of wealth and plenty for the majority group with wide racial gaps faced by minority groups has come to be known as the Minnesota Paradox."

It gets worse. For black Minnesotans some of these outcomes, like home ownership rates, are not just low relative to those for white Minnesotans, but relative to those for black residents of other states. My colleague Catrin Wigfall noted recently that black and Hispanic students in Mississippi outperformed Minnesota's black and

Hispanic students in both math and reading, and that tests scores for Mississippi's black students have been rising in recent years, compared to declining scores of our state's black students.

And these disparities coexist with Minnesota's high, progressive taxes. In 1997, 1999, and 2003, the Minnesota Center for Fiscal Excellence (then the Minnesota Taxpayers Association) said: "Minnesota's income tax system is significantly more progressive than the average state income tax system." Our state's tax system ranked among the five most progressive in the United States in 2006, among the top six in 2008, 2010 and 2013, among the top two in 2014, and among the top five in 2018. Minnesota has had some of the highest tax rates and one of the most progressive income tax systems in the United States for decades.

The data show that whatever problems you think afflict our state at present — from racial disparities to surging violent crime — they have either arisen while *continues on page 11*



American Experiment Update

Water Cooler Talk

In case you missed it...and what to watch for.

New Managing Editor

Jenna Stocker is the new managing editor of *Thinking Minnesota*. She was the first freelance writer recruited to contribute to the magazine when she wrote the summer edition's buzzy cover essay, "Free-fall: State and Twin Cities leaders dither while vulnerable residents live in fear and increasing danger."

A former Marine Corps officer, Stocker holds a degree in accounting from the Carlson School of Management at the University of Minnesota, where she also swam long-distance freestyle for the school's varsity swimming & diving team. Stocker spent time as a researcher specializing in Islamism and military weapons systems at the Center for Security Policy in Washington, D.C. She also contributes to the *Federalist* magazine.



Jenna Stocker

You Got A Permit for That Cow?

American Experiment used Farmfest — the annual summer celebration of Minnesota's ag community — to launch a public engagement campaign to prevent the Walz Administration from forcing businesses, including some farms, to conduct greenhouse gas emission estimates as part of environmental permitting.

The Environmental Quality Board (EQB) recently proposed changes to Minnesota's environmental review program that would force businesses to inventory the potential greenhouse gas emissions for new projects, and potentially consider ways to reduce emissions as part of an Environmental Assessment Worksheet (EAW), or an Environmental Impact Statement (EIS), if they are required to complete these assessments.

"The bureaucrats in St. Paul continue to create more red tape for job creators who want to do business in Minnesota," said Isaac Orr, policy fellow for energy and the environment at Center of the American Experiment. "This proposal will open the door to frivolous lawsuits from environmental special interest groups who want to weaponize the environmental review process to kill projects with endless litigation."



Do you
have a
PERMIT
for that cow?

Think About It

American Experiment's "Think About It" radio campaign won the State Policy Network's (SPN) Communication Excellence Award at the organization's annual meeting in Orlando. SPN is



AMERICAN
EXPERIMENT

the national coordinating network for state-level conservative and libertarian think tanks.

The radio campaign consisted of radio ads that raised questions about current public policy topics. It originated with five ads that rotated during Minnesota's 2021 legislative session. The campaign delivered almost two million impressions in the first quarter of 2021, including broadcast and streaming ads.

All told, the ads generated thousands of emails to legislators, including 834 emails sent to each member of a conference committee as they were deliberating Green New Deal provisions (which were eventually dropped).

"We made a substantial commitment to this campaign," said John Hinderaker, the Center's president. "Using a consistent theme like Think About It made it more effective as a brand-building effort."

Backpack News

Parents can more easily monitor and react to what's going on in their local school districts through www.Illumined-MN.com, a website created by Center of the American Experiment. "It's a way that parents can share information that their children are bringing home in their backpacks, and do something about it," according to Bill Walsh, communications director at the Center. The website contains information about how parents can get involved at their local level by learning about student rights, how to talk to school leaders, and how to find alternative curricula. A chat function will enable parents to share information and mobilize. ★

continued from page 9

Minnesota has had high, progressive taxes or they have proved resilient to remedy by high, progressive taxes. It is time to try something different. But what?

Look again at those education disparities. Last year, Brightbeam, a nonprofit education advocacy organization, released a report that found that some U.S. cities are doing a much better job at closing the gaps in education outcomes than others.

According to one report, conservative cities have gaps in math and reading that are on average 15 and 13 percentage points smaller than those in progressive cities.

But, as Nekima Levy Armstrong wrote in the Star Tribune, “The brightbeam report shows that progressive cities like Minneapolis do worse — and, surprisingly, conservative cities do better — when it comes to educating students of color. According to the report, conservative cities have gaps in math and reading that are on average 15 and 13 percentage points smaller than those in progressive cities.”

This is not because conservative cities have higher and more progressive taxes than progressive ones. Something besides taxing and spending is closing those gaps. Rather than repeating or amplifying what has failed over decades in Minnesota, we should look to the places which are succeeding and learn from them.

This message was a hard sell four years ago. But with the emergence of this new, more skeptical consensus across Minnesota’s political spectrum, its time might have come. ★

A version of this op ed appeared in the Star Tribune on 12 July, 2021.



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Containing Our Tribal Societies

The lessons of Irish unrest demonstrate why America's political infrastructure must not be undone.



Driving around Minnesota in the run up to last year's presidential election, you could get a good idea of which candidate would win each area from the signs you saw. In the cities and suburbs the lawn signs were almost exclusively for Joe Biden. In Greater Minnesota, the signs were almost exclusively for Donald Trump. You knew whether you were in blue or red territory.

This reminded me of family holidays to Ireland as a kid, landing in Belfast and driving across Northern Ireland to Donegal. Along the way, you knew if you were in Loyalist or Nationalist

territory. In the Loyalist areas, where residents wished to remain in the United Kingdom, the Union flag flew and the kerbstones were painted red, white and blue. In the Nationalist areas, whose residents wanted to join the Republic of Ireland, the Irish tricolor flew and the kerbstones were painted green, white and gold. Tribes — blue or red, orange or green — like to mark their territory.

The *Oxford English Dictionary* defines a tribe as: "A social division in a traditional society consisting of families or communities linked by social, economic, religious, or blood ties, with a

common culture and dialect, typically having a recognized leader." This is a fair description of Northern Ireland's tribes. They have their own religions, rarely intermarry, have different historical narratives, and live separately. Indeed, Nationalists, mainly Catholic, alienated from a state controlled by mainly Protestant Loyalists, had their own newspapers, sports clubs, social venues and education system.

But it is also a fair description of America's two tribes. They too have different religious attitudes and are not likely to date each other — Americans are now more disapproving of cross-partisan relationships than of interracial ones. They have their own news outlets, like different sports and vacation differently. They do not, yet, have

their own schools, but after a year where public kindergarten enrolment fell by nine percent in Minnesota while enrolment at private kindergartens *rose* by 12 percent, that may change.

The dangers of a tribally divided polity are illustrated by Northern Ireland's history where, historian Marc Mulholland writes, "even liberal democratic institutions and a standard of living enviable in all but the wealthiest countries were no proof against ethnic conflict in the contemporary age." But it also suggests some solutions, with America well-placed to cope.



The Founding Fathers wisely warned of the tribal passions party politics would unleash, and here they are. **Fortunately, America's political institutions are not the majoritarian ones that stoked decades of violence in Northern Ireland.**

Northern Ireland was established in 1922 when mostly Catholic Ireland seceded from the U.K. and the mostly Protestant north of the island seceded from that. But tribal divisions persisted. While the south's Protestant population was small enough to be powerless (10 percent in 1911) and got smaller (four percent in 1971), Catholics accounted for 33 percent of the north's population in 1926 and now comprise 40 percent. As a matter of pure democracy, Northern Ireland's Protestants permanently ruled its Catholics, but Catholics had the numbers to be powerful. Denied any political outlet, that power found expression in violence from 1968.

The lesson for America is that untrammled majority rule can lead to resentment in a society where separate tribes make up large enough shares of the population: 36 percent of Americans describe themselves as conservative

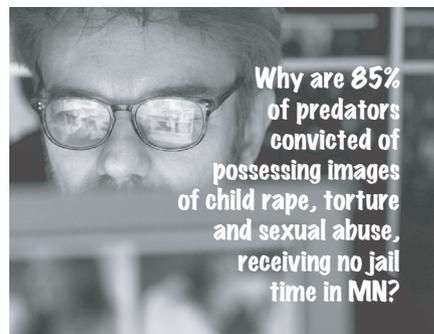
and 24 percent as liberal. To end the violence in Northern Ireland, untrammled majority rule had to be curtailed. Here, there are reasons for Americans to be optimistic.

In 1969, Northern Ireland's Prime Minister, Terence O'Neill, foresaw "regional parliaments all over Britain having a federal relationship with Westminster." In the American context this means greater federalism, with blue states doing their thing, red states doing theirs, and a much diminished role for the federal government.

The violence in Northern Ireland was brought to an end by power sharing, making it impossible for one tribe to dominate another. The Good Friday Agreement of 1998 established a legislature where legislation required either parallel consent or a weighted majority of 60 percent of voting members to be passed. Again, America already has this political architecture in place with multiple checks and balances and supermajority requirements like the filibuster.

The Founding Fathers wisely warned of the tribal passions party politics would unleash, but here they are. How will we deal with them? Fortunately, America's political institutions are not the majoritarian ones that stoked decades of violence in Northern Ireland. We have federalism. Like Northern Ireland's assembly, our Senate has a supermajority requirement in the filibuster. A greater appreciation of the importance of these will help America's two tribes to coexist. Northern Ireland had to build these institutions; America already has them. And it should protect them. A move in the other direction, with, for example, the filibuster abolished and the Supreme Court packed — a move towards the old majoritarian politics of Northern Ireland — would take America's tribes down a dangerous road. ★

—John Phelan



Why are 85% of predators convicted of possessing images of child rape, torture and sexual abuse, receiving no jail time in MN?

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Risky Business

Deputy who takes bullet has had worse days on the job.

Deputy Troy Mayer took a bullet earlier this year on a routine traffic stop, but it was nowhere near his hardest day on the job.

“You do kids’ calls, you work a bad crash, you do a death notification — those are tougher days than that day,” Mayer says.

The father of seven — and part-time deputy for Wadena County — had pulled aside a speeding vehicle last February when one of its passengers opened fire. “I got the ‘Forrest Gump’ of injuries,” Mayer jokes. The bullet entered his right buttocks and lodged permanently in his hip joint. “A few millimeters in any direction and it would’ve been life-threatening.”

The gunman was killed when deputies returned fire. Mayer was taken to

a local hospital, then flown to the Twin Cities. His hospital stay lasted less than 12 hours. And Mayer insists the ordeal wasn’t the toughest day he’s had.

“Everybody that works law enforcement has to deal with some evil in this world. And I deal with that too, even as a part-time deputy,” he says. “The child abuse calls are the worst. I would rather get shot in the butt a hundred more times than have to deal with one more kid that’s got abused. Those are always the ones that break your heart.”

His daughter was near heartbreak on the day he was shot. Just 18, she was accompanying her dad on her second or third ride-along when gunshots rang out. She was shaken but resilient, and the incident hasn’t changed the family’s life at all. “We kept rolling, we just did it with a

limp. (My kids) all understand enough to know that it’s not really my style to slow down or stop.”

Mayer, a full-time ambulance manager at North Memorial Hospital, was back at work that same week. He would be lying, though, if he said that he got through it alone.

The community was “unbelievably supportive. We’ve always been a very conservative, pro-law enforcement area up here. It’s actually become difficult to buy a meal (without a citizen paying for it) while working in uniform,” he says.

The support extended past Wadena County, too. He was recently named 2020 Police Officer of the Year by the Minnesota Chiefs of Police Association. Mayer also received support from the Minnesota 100 Club, which he hopes to repay in the future.

Their help “came out of left field,” Mayer says. “I didn’t expect for it or ask for it, but it was an unexpected blessing that really did help in a time of need.” ★

—Grace Bureau



Crime

What, Me Worry?

Facing harsh public judgments, Walz vigorously avoids talk about public safety.

Increasing crime rates and a growing sense of lawlessness are the biggest challenges facing our state, but Gov. Tim Walz is doing everything in his power to ignore, deflect and change the subject. He has good reason to, judging by the *Thinking Minnesota* Poll conducted June 2-6, 2021. Fifty-five percent of poll respondents do not approve of Walz's response to riotous behavior, with only 39 percent approving. This is a complete reversal from the June 2020 *Thinking Minnesota* Poll where 59 percent approved of Walz's handling of last summer's riots.

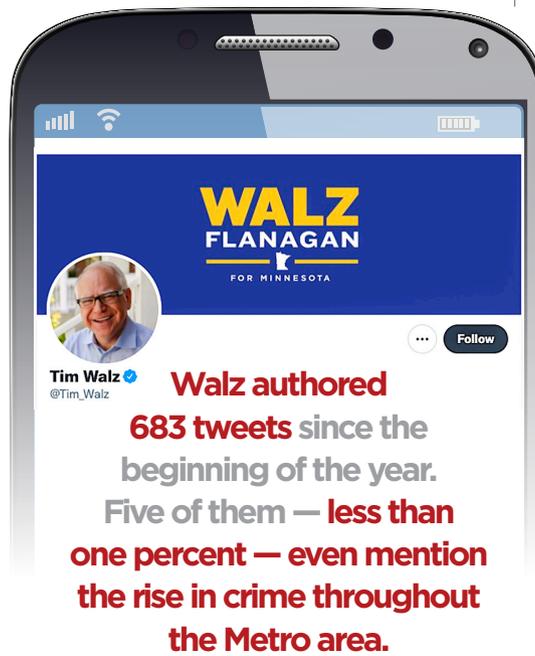
Interviewed on WCCO television on July 11 — the last time he was even asked about gun violence — Walz downplayed both the issue of rising crime and the state's ability to do anything about it. He got some help from reporter Esme Murphy framing the issue:

Walz: It's happening everywhere, and we need to find answers.

Murphy: It is clearly happening everywhere, but let me ask you: Can the governor really do anything about this, can the state really do anything about this? Because that's what people are calling on you to do.

Walz: The state can be partners in this, they absolutely can. The state's role, we have the State Patrol that's our predominant, on the trunk highway system. But we can help with BCA, we can help with information, and we're using Federal relief dollars to pump money in, we put \$15 million to public safety on the front end....

...But that's not the long-term fix. The long-term fix is working in partnership with these local communities,



supporting local police, supporting local intervenors that are out there on the street and then we have to go back upstream — why do we have so many kids with guns in their hands instead of doing things we want them to do? So the state can help assist.

Walz's public statements illustrate no leadership for the most important issue facing the state.

Walz produced 293 press releases from January 1, 2021 to August 31, 2021. A plurality of them (128) had to do with the COVID-19 pandemic, a topic he's very comfortable talking about. Of the remaining 165 press releases, only 13 had anything to do with crime, with none mentioning the increase in violence in Minneapolis:

- Authorization of National Guard Assistance during Floyd officer trials
- Curfew implementation over

- Daunte Wright
- Request of state troopers from surrounding states prior to verdict
- Statement on Chauvin Verdict
- Statement concerning DOJ investigation of MPD
- Call for Moment of Silence for Daunte Wright
- Letter calling for police reform
- POST board takes steps to increase accountability
- Bill signed for funds for public safety costs after Daunte Wright incident
- Urging for police reform
- Moment of silence for George Floyd
- Executive Action on Police Reform and Community Safety, including \$15 million for "violence prevention grants"
- Flags at half-staff for fallen officer, Red Lake Nation

It's the same story with Walz's Twitter profile. Walz authored **683 tweets** since the beginning of the year, and 47% are about COVID. Five tweets — less than one percent — even mention the rise in crime throughout the Metro area.

To be fair, Walz does address crime in other states. The January 6 riots, mass shootings (around the country and in Buffalo, MN) and Asian hate each received multiple grave acknowledgements. Protecting the media from getting hurt during rioting has also been a top concern for Gov. Walz, reflected in his official Twitter account. So, if you're Asian, a journalist, live in the exurbs or even another state, Gov. Walz is very concerned about your safety.

A whopping 81 percent of Minnesotans are concerned about crime, according to the most recent *Thinking Minnesota* Poll. Eighty percent believe crime has gotten worse in Minnesota. Judging by Walz's official public statements, his priorities are out of touch with the people he represents. ★

—Bill Walsh

Cutting Remarks

17,000 Minnesotans provide critical feedback to the second draft of the state’s proposed Social Studies Standards

Center of the American Experiment helped 17,000 Minnesotans deliver negative feedback on the second draft of the state’s Social Studies Standards. Despite missing its own February deadline for publishing the second draft by six months, the Minnesota Department of Education provided



DEPARTMENT OF EDUCATION

“The Department of Education and the committee showed a willingness to listen during the first round so we remain hopeful they will not ignore the voices of thousands of Minnesotans demanding change to the second draft.”

a little more than two weeks for the public to read the 168-page document and provide feedback.

American Experiment’s website at www.RaiseOurStandardsMN.com was used to send in comments on the second draft. The 17,000 comments dwarfed the feedback for the first draft,

which resulted in 6,000 comments to the committee.

Improvements were made to the second draft, according to Education Policy Fellow Catrin Wigfall. They included the elimination of derogatory references to “whiteness” and bringing in more objective facts of history, including the key facts of World Wars I and II and the Holocaust. “Those improvements were the direct result of feedback from the Raise Our Standards campaign,” she said.

“Although better, the proposed second draft standards and benchmarks still lack important historical content and include inappropriate themes that would take Minnesota education in the wrong direction,” Wigfall said. “The new draft continues to manifest a negative and even hateful attitude toward the United States and its history with a focus on systemic racism, group identity, and a zero-sum power struggle between racial groups.”

In fact, the Critical Race Theory framework can be found throughout the second draft of the social studies standards.

“The Department of Education and the committee showed a willingness to listen during the first round so we remain hopeful they will not ignore the voices of thousands of Minnesotans demanding change to the second draft.”

Even though the rule-making process continues for social studies standards, the legislature and Gov. Tim Walz passed legislation in the 2021 session that paused the implementation of any academic standards until after 2023. ★

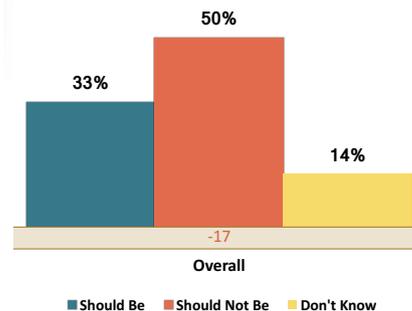


CONTRARY TO PUBLIC OPINION

Minnesotans reject a school curriculum that includes Critical Race Theory

Only a third of Minnesotans think that Critical Race Theory should be incorporated into the social studies standards, according to the most recent edition of the *Thinking Minnesota* Poll.

Just 33% responded favorably when asked: “Based on what you know, do you think Minnesota social studies standards should be written using a critical race theory framework that focuses on systemic racism, group identity, and a power struggle between racial groups, or should they not be written that way?” The *Thinking Minnesota* Poll is a quarterly survey conducted for Center of the American Experiment by Meeting Street Insights, a Charleston, South Carolina-based polling company. For this report, Meeting Street interviewed 500 Minnesotans between August 30 and September 2. It has a margin of error of ±4.38%.



Local Elections

Back to School

School board candidates organize to prevent CRT from subverting their classrooms.

Thirty local candidates gathered in suburban St. Paul for a training session on how to talk about education issues and ultimately win election to the school board. It was American Experiment's first foray into training school board candidates and grew out of overwhelming interest in the issue of Critical Race Theory.

American Experiment embarked on a 17-city tour this summer educating citizens on the dangers of Critical Race Theory, and documenting its implementation in Minnesota schools. The Raise Our Standards tour attracted thousands of participants and raised awareness of CRT

across the state. As a result, the Minnesota legislature voted to delay implementation of the proposed social studies standards because of their reliance on the CRT framework.

Tough questions also targeted local school boards, where ideas like equity audits and Critical Race Theory were taking root. Hundreds of citizens began showing up at school board meetings, dominating the public forum part of the agenda. Many school boards reacted poorly by enacting time limits or even eliminating public forum altogether. School board members began to announce they were resigning —

they couldn't take the pressure.

Out of all this turmoil, an amazing thing happened. Frustrated parents and citizens signed up to run for school boards all over the state. Over 200 candidates met the August 10th filing deadline with some school districts seeing 15 candidates running for only four seats.

"A school board campaign school was the perfect follow-up for American Experiment's Raise Our Standards campaign," said John Hinderaker, president of Center of the American Experiment.

The one-day non-partisan campaign school began with a presentation on Critical Race Theory and other important education policy issues by Educa-



tion Policy Fellow Catrin Wigfall.

That was followed by a talk on the complexities of school finance, since most decisions made by school board members involve funding.

The afternoon was dedicated to the nuts-and-bolts tactics of getting elected — everything from lawn signs to digital advertising.

"Despite federal and state efforts to take over school policy, the most important decisions regarding our children's education remain at the local level," Hinderaker said, adding that the Center is already planning future campaign schools. ★

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FIRE, READY, AIM

Legislators' rush to revise deadly force law backfires

DFL lawmakers seized on George Floyd's death in police custody and the ensuing anarchy by rushing sweeping police reforms through the 2020 legislative session.

"It creates a modern accountability framework of laws that will help to end the type of police brutality that killed George Floyd in May of this year," said House Public Safety and Criminal Justice Reform Committee Chair Rep. Carlos Mariani (DFL-St. Paul).

But in their haste to fast-track their signature reform, lawmakers behind the last-minute overhaul of the use of deadly force standards for cops were as trigger-happy as they often accuse police of being. Revamping the use of deadly force language governing more than 10,500 Minnesota law enforcement officers was a last-minute provision crammed into a drive-by omnibus bill passed with bipartisan support after midnight in the waning hours of a second special legislative session.

"It would have been nice to have a hearing to actually learn more about this, to give the public the idea to absorb it, to see what is in it and to have a discussion on it," said Sen. Kari Dziedzic (DFL-Minneapolis) at the time.

The legislators' "fire, ready, aim" approach resulted in potentially fatal flaws in the deadly force provision that led to a constitutional challenge, confusion on when deadly force should be deployed, and concern that its ambiguous language puts officers at greater risk, both physically and legally.

"I'm not going to lie. This law is about as clear as mud," Minnesota Department of Public Safety Assistant Commissioner



Tom Steward

Booker Hodges told hundreds of police personnel in a recorded online meeting obtained by MPR before the law took effect on March 1.

"We have sort of a homebrew statute, a homebrew formula," said William Everett, an expert on use of force, in the same meeting. "We're in the same position as judges and prosecutors are going to be in terms of not knowing what it means."

Critics say the new standard requires officers to forgo their Fifth Amendment right not to testify against themselves in a criminal proceeding by compelling them to explain why their use of deadly force rose to the legal threat level stipulated in the law.

"An easy way to summarize these requirements is that no officer may use deadly force unless the threat faced

is reasonably articulable, reasonably certain to occur, and reasonably immediate," Minnesota Attorney General Keith Ellison, a strong supporter of the new standard, explained in a memo.

In the same memo, however, Ellison admitted the law may be unconstitutional.

"The first threat criteria may be unconstitutional," the memo states. "It is unclear how 'the law enforcement officer' suspected of a crime can be compelled to articulate anything without violating her right against self-incrimination."

Not only did legislators get it wrong, they failed to fix it in the 2021 legislative session. At the same time, the Walz

In the same memo, however, **Ellison admitted the law may be unconstitutional.**

administration compounded the problem by bungling the implementation of the new standard. Minnesota Department of Public Safety Commissioner John Harrington failed to release guidelines for the far-reaching changes until days before the law's implementation in the midst of the pandemic. Law enforcement agencies never got a chance to brief and train officers on the new law before they were legally held to the new standard.

With so much uncertainty surrounding when officers could legally use their weapons, some departments reportedly stopped sending police on mental health crisis calls involving suicidal individuals

that could result in a so-called “suicide by cop” scenario.

“We have had now police and sheriffs refuse to respond to suicide calls,” National Alliance on Mental Illness Minnesota executive director Sue Abderholden told *Forum News*. “And it’s hugely problematic.”

The unintended consequences of the controversial new law also extended to law enforcement in bordering states. Several North Dakota agencies no longer participate in cross-border mutual aid agreements with Minnesota law enforcement in order to avoid exposing officers to liability in Minnesota cases potentially involving deadly force, including members of the SWAT team, bomb squad and Metro Street Crimes Unit.

“Because of this change, North Dakota Law Enforcement in Cass County has suspended all law enforcement assistance into Minnesota,” Cass County Sheriff Jess Jahner said in a letter to Minnesota Governor Tim Walz. “This has caused a huge public safety concern for both counties and has put the citizens of Clay County [Minnesota] in a situation where they are unable to draw resources from Cass County to help them in critical situations.”

The legislature’s rush to judgement guaranteed the controversial standards would wind up in the courts, resulting in a legal challenge filed in July by the Minnesota Police and Peace Officers Association, Minnesota Sheriffs’ Association, Minnesota Chiefs of Police Association and Law Enforcement Labor Services.

“This law is not only unconstitutional, but impractical in terms of training resources and a rushed timeline,” said Law Enforcement Labor Services Executive Director Jim Mortenson. “When it comes to laws regarding the use of deadly force, it is imperative that we get it right.”

In September, Ramsey County Court

Chief Judge Leonardo Castro agreed, temporarily suspending implementation of the new law. “Plaintiffs need not wait for one of its members to be charged with a homicide crime before the question of the constitutionality of the provision Plaintiffs challenged is answered. The uncertainty and insecurity would be unconscionable.”

As a result, Minnesota peace officers will continue serving under the previous

“I’m not going to lie. This law is about as clear as mud,” Minnesota

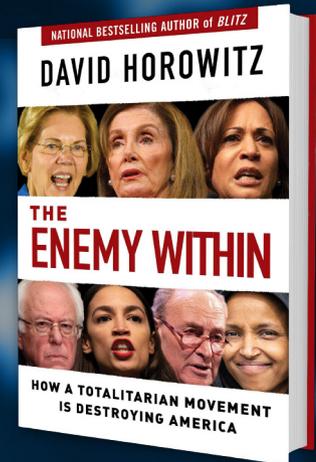
Department of Public Safety Assistant Commissioner Booker Hodges told hundreds of police personnel in a recorded online meeting obtained by MPR before the law took effect on March 1.

standard for use of force, pending the outcome of the constitutional challenge to the new provision.

“Reason and common sense dictate that we do not allow chiefs of police and sheriffs to prepare and implement training programs that may be based on an unconstitutional premise,” Judge Castro ruled. “If the revised statute provision is unconstitutional, it is best we know that now before it is too late.”

But the verdict is already in on the secretive, sloppy, insider process that led to the courts and has become standard operating procedure for the end of Minnesota legislative sessions. ★

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The Social Contract

What — and to whom — do we really owe?

Nobody has ever actually seen “the social contract” let alone signed it, which probably explains why there is so much disagreement about what is actually in it. In her new book, *What We Owe Each Other: A New Social Contract for a Better Society*, economist Minouche Shafik sets out to explain what the social contract is, why it is broken, and what we can do to fix it.

The social contract, Shafik explains, dictates what “we” owe to “society” and what “society” owes to “us” in return. But who are “we,” “society,” and “us?” Shafik answers:

“I like to think of mutual obligations as

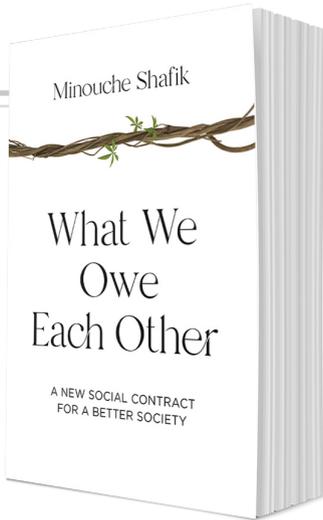
concentric circles. At the core, most of us feel the greatest obligation to our immediate family and friends...In the next ring of the circle is the community in which we live. This is often the domain of voluntary groups, religious associations, neighborhood and local government structures. In the next ring is the nation state...The final circle is the world, where the obligations are weaker...”

The idea that we have greater obligations to our fellow countrymen and women (Shafik’s third circle, “the nation state”) than we do to people in distant lands, is not uncontroversial. In his book, *The Big Questions*, the economist Steven

E. Landsburg responded to a critic of mass immigration:

“We care more about ourselves, our friends, and our neighbors than we do about strangers. But unlike me (and I hope unlike you) Goofus also cares more about strangers in the American city of San Antonio than about strangers in the Mexican city of Juarez. That strikes me as unappealing, just as if he cared more about strangers who happen to share his skin color.”

Landsburg essentially removes Shafik’s third circle. In his argument, the resident of Minnesota should feel no greater obligation toward the resident of Louisiana than toward the resident of Lombardy: Nationality means nothing; we are all global citizens. The difference between Shafik’s and Landsburg’s attitudes here captures the essence of the current debate between “nationalists”



And there is good policy advice here. It is undeniable that we need **“a system of education that is more flexible,” with life-long learning allowing people to re-skill throughout their working lives.**

and “globalists.”

If we accept that people owe obligations to each other under the terms of some “social contract,” the next question is how we should realize these obligations.

Too often, when people talk about “society,” what they really mean is the government. But that isn’t the only avenue through which we deliver on our obligations to each other. Shafik notes that “in every society, a huge amount of what falls within the bounds of the social contract continues to be provided by families.” “Every day we navigate mutual obligations and take care of others,” she continues, “not just within our families, but within communities and nation states, far in excess of narrow self-interest.” But her first example of this is:

“Most obviously we pay taxes that will benefit people in other parts of the country...who we will never meet. We do this because we believe that living in a fair, well managed society helps us to live a better life and we are willing to

contribute our share to achieving that for our own interest and because of solidarity with our fellow citizens.”

We also do it because we will be put in jail if we don’t.

Shafik doesn’t completely avoid the trap of conflating society with the government and there are plenty of recommendations for more government spending. But there is also a realization that both taxation and government debt can reach unsustainable levels. Given how divorced from these realities much public policy debate is nowadays, this is refreshing.

There is good policy advice here. It is undeniable that we need “a system of education that is more *flexible*,” with life-long learning allowing people to re-skill throughout their working lives.

Shafik also makes a strong case for early childhood intervention — “one of the most cost-effective ways of producing an educated labor force capable of acquiring new skills...[and] citizens who are less likely to require support from social assistance programs and or commit crimes...” True, this carries the taint of “It takes a village.” But progressives now push equality of outcome — disguised as “equity” — in place of equality of opportunity, and conservatives can fight this by reinvigorating equality of opportunity through early childhood interventions, provided that funding comes from existing spending. “Making early-years education a key element of the social contract, at least for the poorest families, makes both economic and social sense,” Shafik argues. Indeed, she argues that if the government focused more on this it could stop doing a lot of other stuff.

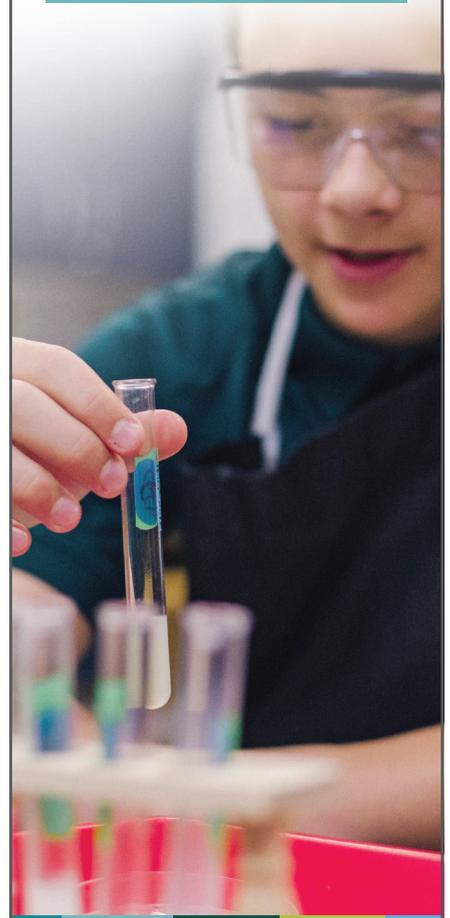
There is much to disagree with in this book, but it is an intelligent and honest attempt to tackle a broad range of problems. Besides, reading something you disagree with often generates the highest returns. ★

—John Phelan



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Housing

Why Rent Control Helps No One

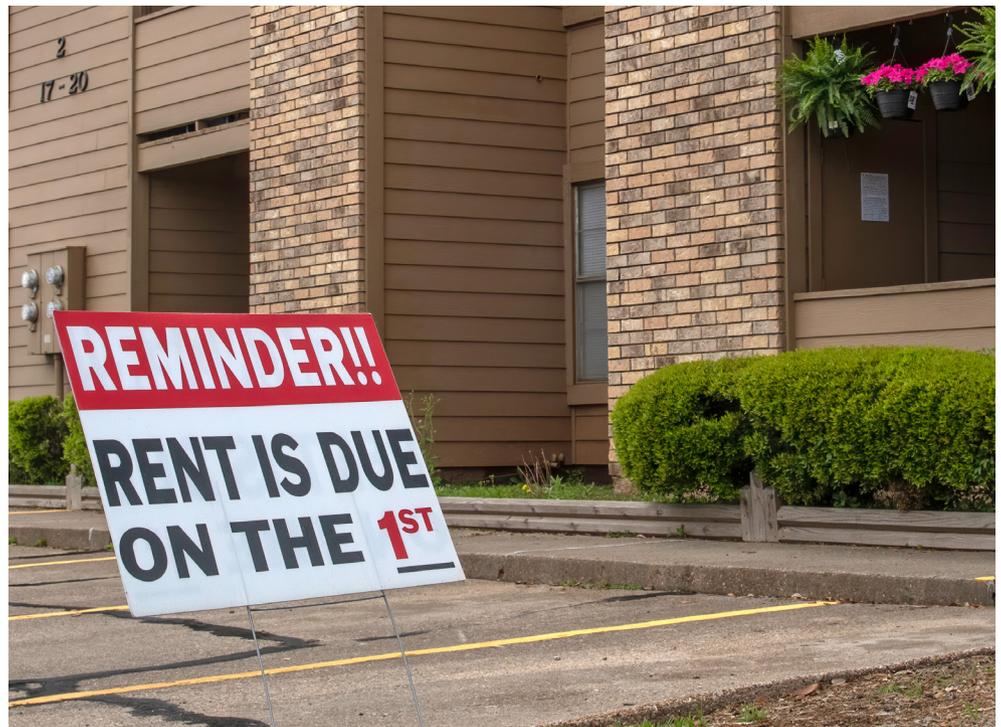
An artificial ceiling on rents produces a host of unintended or overlooked consequences that eclipse good intentions or favorable PR.

Rising housing costs in the Twin Cities have resurrected an old idea — rent control. This fall, voters in both Minneapolis and St. Paul will decide whether to give local bureaucrats the power to cap how much rent landlords can charge their tenants. Advocates claim this will help low-income renters, especially people of color, escape gentrification and hold on to their housing.

Indeed, lack of affordable housing is a real issue facing most big cities, including the Twin Cities. American Experiment described the factors driving high housing costs in the Twin Cities in our paper, “Out of House and Home.” But rent control is the worst way to deal with the issue.

Economics can lack consensus on most topics, but rent control is not among them. When pollsters at the University of Chicago asked economists in 2012 whether three decades of rent control measures had had “a positive impact” on the amount and quality of broadly affordable rental housing, 81 percent disagreed, most of them strongly.

Most economists consider rent control a price ceiling that creates a host of adverse consequences that eclipse good intentions or favorable PR. To illustrate, imagine if the government limited how much your boss can pay you. Chances are you will be less motivated to find a job, and if you had one, you would not dedicate as much effort to doing it. Nobody wants to invest capital or labor



Allen J.M. Smith / Shutterstock.com

into producing a good or service that will not profit them.

Similarly, landlords are likely to respond to the loss of revenue by reducing the quality and quantity of the housing supply. One way they escape rent control is to transform apartments into owner-occupied condominiums or to develop buildings into higher-end luxury properties.

Analysts at Stanford University, for example, found in 2019 that “rent-controlled buildings (in San Francisco) were eight percentage points more likely to convert to a condo or ‘tenancy in common’” than buildings with no rent control. The result? The number of apartment units available for low-income renters decreased as landlords catered

to higher-income renters, leading to an increase in the cost of renting by about 5.1 percent city-wide as renters competed over a much smaller available housing stock. In fact, they discovered the number of renters living in rent-controlled units declined by 25 percent, “as many buildings were converted to new construction or condos that are exempt from rent control.”

And since the high-end housing in San Francisco — that was developed in response to rent control — attracted residents with higher incomes, rent control contributed to the gentrification of San Francisco, the exact opposite impact the policy intended.

And when capital or legal constraints

limit property owners' ability to upgrade units or convert to higher-end condos they will often limit financial losses by cutting back on maintenance costs. Research in 2003 by the MIT Center for Real Estate found that rent-controlled buildings in Cambridge, Massachusetts were "older, in worse condition, and more in need of very essential repairs." This lower housing quality, when coupled with lower rent revenues, also eroded the community's property tax base. In fact, MIT reported that when rent control was repealed in Cambridge, property values increased as much as \$2 billion for both controlled and uncontrolled buildings between 1995 and 2004.

Rent control also discourages investment in new housing. The Stanford study estimated that rent control reduced the supply of housing in San Francisco by 20 percent. Similarly, the MIT report found that investments in housing increased only after rent control measures were repealed.

Another side effect of rent control is that it discourages tenants from moving. Former New York City Mayor Ed Koch famously paid only about \$475 a month for a Greenwich Village apartment, which he kept vacant for the 12 years he occupied Gracie Mansion, the city's official mayoral residence. Nat Sherman, a tobacco-industry tycoon, paid only \$335 for a six-bedroom apartment on Central Park West, astoundingly lower than the market price of even a studio apartment in the same neighborhood.

Failure all around

An irony of rent control is that it ends up benefiting middle and high-income renters, who do not need any help. A report for the Citizens Budget Commission noted that in 2017, New York's rich tenants occupied 12 percent of the city's rent-stabilized units — a total of 98,780 units. Moreover, of those households, 28,377 earned more than \$200,000, thereby saving an average of about \$14,000 per household due to rent

Economics can lack consensus on most topics, but rent control is not among them. When economists were asked by pollsters at the University of Chicago whether three decades rent control measures had had "a positive impact" on the amount and quality of broadly affordable rental housing, 81 percent disagreed, most of them disagreeing strongly.

control. And in Stockholm, Sweden, between 2011 and 2016, individuals in rent-controlled apartments were found to have incomes 30 percent higher than the metropolitan average.

Rent control's negative impacts are not exclusive to New York, San Francisco, or Cambridge, but extend to places outside the United States. Rent control measures have led to a decline in housing value, the deterioration of housing quality, and reduction in new housing construction in areas like France between 1914 and 1948; Hong Kong after 1921; and Ontario after 1975, just to mention a few.

But even more recently a rent freeze enacted in Berlin in 2020 caused landlords to cut back on maintenance expenses and reduce the number of rental units advertised, lowering the housing supply. Furthermore, rental prices went up in nearby regions, pointing to a potentially increased spillover demand in those areas.

The housing crisis is a supply issue

Historically, rent control measures have mainly been implemented in areas fac-

ing rising housing costs due to shortage in the housing supply.

In 1593, for example, when Jews living in Rome — who at the time were forbidden from owning property and could only rent in the ghetto — were banished from all but three Papal states, they flocked to the ghettos of Rome and Ancona, causing rents to rise disproportionately in those ghettos compared to other regions. This resulted in Pope Clement freezing rents to protect Jews from their Christian landlords.

Likewise, in 1755 when Lisbon enacted rent control, it was only after a great earthquake had destroyed one-third of the city, slashing the city's housing stock and leading to high prices.

In the U.S., Washington D.C and New York, the earliest adopters of the modern concept of rent control in the 1920s, also mainly did so because World War I had led to a housing shortage which raised prices.

The Twin Cities are not facing a novel problem. The cost of housing is high and rising because there is not enough supply to satisfy demand, causing prices to go up. Indeed, evidence from the Metropolitan Council shows that while housing supply has grown, it has lagged population growth. Between 2010 and 2017, for instance, the twin cities added 83,100 households and only 63,600 new housing units — a shortage of 19,500 units.

So, to address the housing crisis, policymakers should focus on increasing housing supply by removing impediments to affordable housing, namely burdensome permitting requirements, land use regulations, zoning rules and environmental building codes, as well as excessive fees which delay construction projects and can add tens of thousands of dollars to the cost of housing development in the twin cities — costs which are inevitably passed down to consumers. ★

—Martha Njolomole

Conflicts of Interest

Road Grader

The state senator who supports transportation legislation that earns herself millions.

Minnesota's weak conflict of interest laws rely on the honor system — elected officials are supposed to let the public know when they might benefit financially from an official vote or action. But what happens when those in the honor system lack honor?

A DFL state senator recently voted for a \$6.4 billion transportation bill without telling anyone the company she owns received over \$7 million in state transportation contracts over the last five years.

Sen. Ann Johnson Stewart, DFL-Wayzata, owns Professional Engineering Services LLC (PES), which garnered \$7.6 million in taxpayer dollars from 21 different contracts over the last five years, according to Minnesota Department of Transportation records. Her latest vote guarantees the money will keep coming.

Stewart lists PES on her annual Statement of Economic Interest filed with the Minnesota Campaign Finance and Public Disclosure Board, which requires public officials to disclose the source of any income over \$50. The only other source of income listed on her statement is the University of Minnesota, where she is an adjunct faculty member.

Her advocacy for transportation should not surprise her constituents because during the 2020 campaign she called herself a “passionate transit advocate” and promised to “steer funding to address our traffic problems.”

Looks like some of that \$6.4 billion in transportation funding could be “steered” into her own pocket.

Stewart's campaign website boasts that her engineering company “worked on the design and construction of the

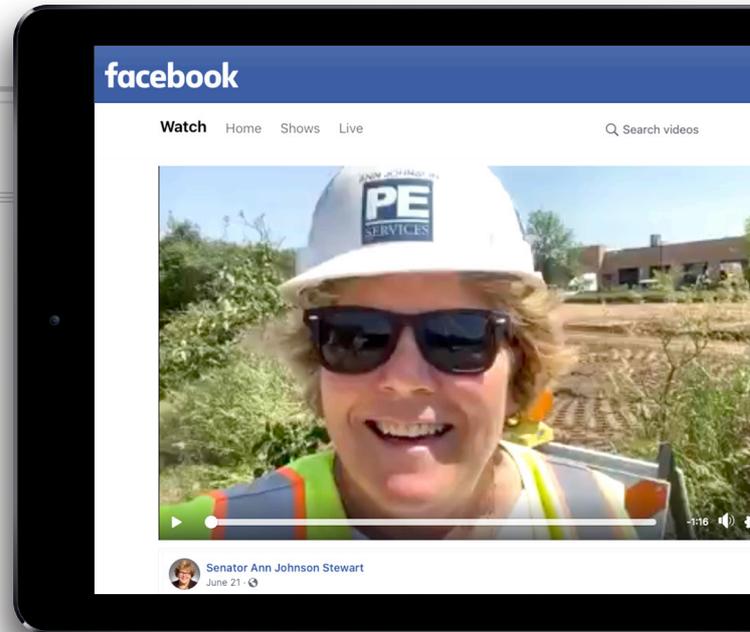
three Minnesota light rail lines to date, as well as on Bus Rapid Transit (BRT) and other transit facilities.” She bragged during the campaign: “I'm proud to say that I've grown this company myself from just me to now 27 employees. We provide construction inspection and materials testing mostly for the state.”

Center of the American Experiment then found, through a public records request, that PES worked on 21 contracts for the Minnesota Department of Transportation over the last five years, totaling \$7,631,118.91.

Stewart should clarify whether PES — which relies on projects “mostly from the state” — will bid on future projects funded by the bill she just supported. And she didn't just vote for it. She advocated for its passage, saying: “We need more construction, we need more funding, a gas tax. I'm excited that I can lend my expertise.” She closed her comments with, “I, too, will be voting green on this vote.”

Stewart is not the first legislator to face a vote that can potentially benefit her or her family. Every year, the topic of conflict of interest comes up in discussions at the Capitol. Can teachers vote for the education bill? Can farmers vote for the agriculture bill? The test is simple: If you are a member of a class (teachers) and the entire class is impacted the same, you are not in conflict. If you benefit specifically (like the owner of a company with a contract), then you are in conflict.

She could have observed her colleague from Red Wing, Sen. Mike Goggin,

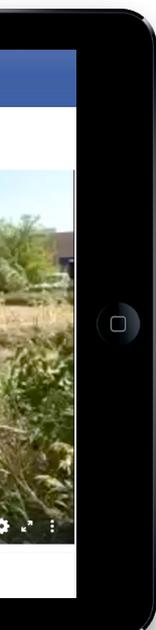


Unless she quietly sold her company after the election, the Senate Ethics Committee should demand that Stewart come clean about her current sources of income and explain to her constituents in Plymouth, Minnetonka and Woodland how her votes for transportation funding are benefiting her family.

when he occasionally declared a conflict and publicly excused himself from voting on matters that benefit his employer, Xcel Energy. State law regarding conflicts of interest is pretty clear:

Subdivision 1. Disclosure of potential conflicts.

(a) A public official or a local official elected to or appointed by a metropolitan governmental unit who in the discharge of official duties would be required to take an action or make a decision that would substantially affect the official's financial interests or those of an associated



State Senator Ann Johnson Stewart voted for funding that could benefit her transportation consulting firm.

business, unless the effect on the official is no greater than on other members of the official's business classification, profession, or occupation, must take the following actions:

- (1) prepare a written statement describing the matter requiring action or decision and the nature of the potential conflict of interest;
- (2) deliver copies of the statement to the official's immediate superior, if any; and
- (3) if a member of the legislature or of the governing body of a metropolitan governmental unit, deliver a copy of the statement to the presiding officer of the

body of service.

If a potential conflict of interest presents itself and there is insufficient time to comply with clauses (1) to (3), the public or local official must orally inform the superior or the official body of service or committee of the body of the potential conflict.

(b) For purposes of this section, "financial interest" means any ownership or control in an asset that has the potential to produce a monetary return.

In addition to state law, Senators also have their own rule governing conflicts of interest:

Rule 56.4 Members of the Senate shall disclose potential conflicts of interest in the discharge of senatorial duties as provided in Minnesota Statutes, section 10A.07.

Stewart is in violation of state law and

Senate rules both through her failure to publicly disclose her conflict of interest and through her vote for the Transportation spending bill, which clearly benefits her and her family. The public can be well-served when elected officials have a diverse variety of knowledge and experiences. But only if the public understands the motivation and potential conflicts behind their advocacy and votes.

Capitol insiders suspect the Senate Ethics Committee will soon have a juicy investigation on its agenda. Unless she quietly sold her company after the election, that committee will demand that Stewart come clean about her current sources of income and explain to her constituents in Plymouth, Minnetonka and Woodland how her votes for transportation funding are benefiting her family. ★

--Bill Walsh

Contract Description	Contract Status	Contract Amount	Expiration Date
J-35W Pavement Rehabilitation Contract Administration and Inspection	CLOSED	\$94,995.41	2/28/20
Contract administration and inspection on SP 2782-347 on I-35W	ACTIVE	\$99,997.86	5/31/22
ADA collection - assets/inventory	CLOSED	\$49,887.50	6/30/21
ADA Small Business Opportunity Program Inspection Contract (Tier 2)_B	ACTIVE	\$74,998.40	6/30/21
SPCD Maintenance Study	ACTIVE	\$49,664.95	6/30/21
TH 12 Construction Inspection	ACTIVE	\$99,571.50	6/30/22
OAE FY21 Asset Inventory	ACTIVE	\$24,999.46	6/30/22
Construction Design-Build Verification/Oversight	ACTIVE	\$336,875.66	6/30/22
US Highway 52 Zumbrota to Cannon Falls Design-Build Verification	ACTIVE	\$63,914.10	12/31/24
35W Pavement Rehab Contract Admin and Inspection	CLOSED	\$64,119.79	6/15/20
Design-Build Verification Consultant (DBVC)	ACTIVE	\$99,963.69	12/15/21
Professional Services - District 7 Resident Offices	ACTIVE	\$188,004.55	1/9/22
Highway 14 Expansion Design-Build Verification	ACTIVE	\$231,561.33	1/31/23
I-94 Maple Grove to Rogers design build verification	ACTIVE	\$325,370.95	6/30/22
COUNTY ROAD SAFETY PLAN UPDATES	CLOSED	\$349,142.31	6/30/21
Development of the Web-Based Geometric Design Training Video Series	ACTIVE	\$720,642.14	2/28/22
Construction Oversight of US 63 Mississippi River Bridge in the City of Red Wing	ACTIVE	\$721,313.71	7/1/20
Highway 14 Expansion Design-Build Verification - Construction	ACTIVE	\$732,588.80	1/31/24
TH 94 Design Build Verification Team	ACTIVE	\$735,698.43	6/30/22
TPI Work Package #1 Inspection and Contract Administration	ACTIVE	\$1,041,655.59	11/30/23
I35W NORTH MNPASS DESIGN-BUILD VERIFICATION PROJECT	ACTIVE	\$1,526,152.78	6/30/22

Naturally Gassed

The PUC’s efforts to shut down coal plants will put even more strain on our natural gas supplies.

If the members of the Minnesota Public Utilities Commission (PUC) are so concerned about rising natural gas costs, why are they enacting policies that will make future price spikes more frequent and more expensive?

Minnesota families will experience a \$350 increase (spread over 27 months) in their natural gas home heating bills because of the frigid temperatures that accompanied last February’s polar vortex. Unfortunately, the PUC is only making matters worse.

Natural gas is the primary heating fuel used in Minnesota, but it is also being used more frequently to generate electricity. This is no problem in the summer when demand for natural gas for home heating is virtually nonexistent, but it is a massive problem in the winter when de-

mand for home heating is high.

Demand for natural gas is even higher during events like the Polar Vortex because wind turbines have a bad habit of generating little power when it is needed most. The graph below shows wind and natural gas generation during the February 2021 Polar Vortex.

As you can see, the demand for natural gas for electricity generation increases as generation from wind turbines declines. We would expect this because natural gas is used to “back up” wind turbines to make sure we have enough electricity when the wind isn’t blowing.

One saving grace for natural gas consumers was the fact that Minnesota still has a large fleet of coal and nuclear power plants. Unfortunately, the PUC is actively working to shut down the coal

plants, which would put even more strain on natural gas supplies during future Polar Vortices, and during the winter generally.

The graph also shows how much natural gas generation would be needed if Minnesota’s coal plants were shut down, shown by the yellow line. These numbers were calculated by finding the average hourly generation of Minnesota coal plants in February and adding this generation to the amount of electricity generated by gas plants.

As you can see, demand for natural gas would have been substantially higher during February of 2021 if Minnesota’s coal plants were not operating. Sadly, the PUC’s actions are making price spikes more frequent and more severe in the future, which should be blindingly obvious to the Commissioners.

This doesn’t appear to be sinking in, unfortunately.

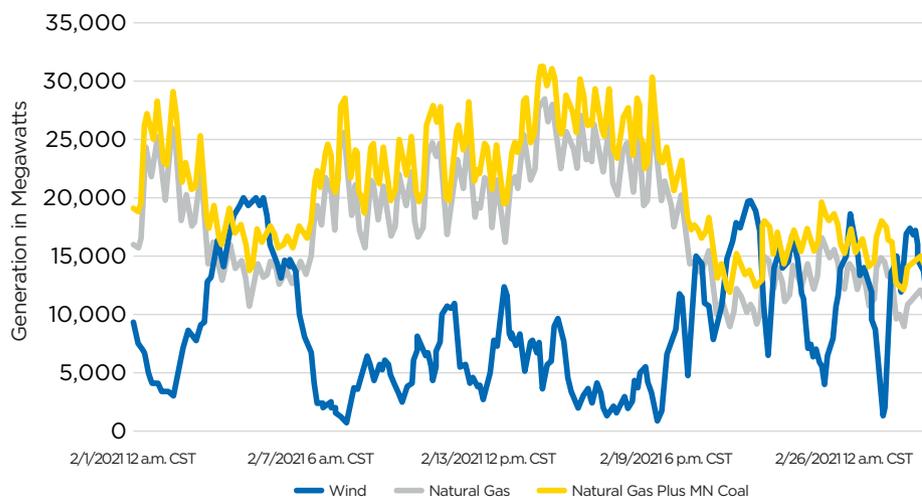
“This kind of behavior in the marketplace is inappropriate in a regulated industry,” Commissioner John Tuma told the *Star Tribune*, pointing out reports of price gouging by gas industry middlemen during the storm. “We need to figure out what happened and figure it out quickly.”

The gas industry may deserve scrutiny for its role in supply shortages, but the PUC needs to look internally to address the fact that it is essentially mandating future price spikes by prematurely retiring our coal-fired power plants and approving plans to rely on wind, solar, and more importantly, natural gas in their stead.

Rather than pointing fingers and deflecting blame, the PUC should actively examine how Minnesota’s natural gas system will be affected by this increase in natural gas consumption for both electricity demand and home heating. This examination must include an honest assessment of whether we need more natural gas pipelines to transport this gas during conditions like the 2021 Polar Vortex. ★

—Isaac Orr

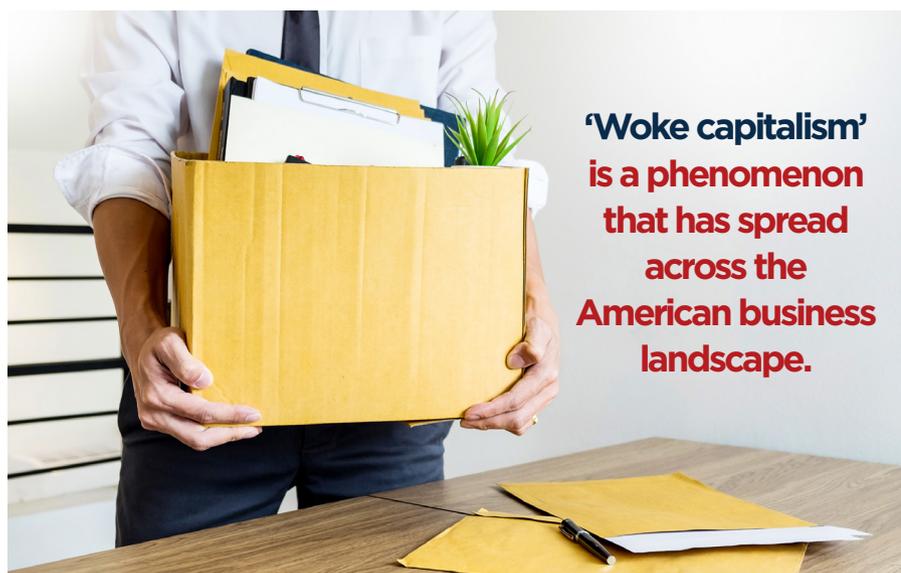
Natural Gas, Wind, and Coal Plus Gas Generation in MISO Feb 1 through Feb 28 2021



Sources: U.S. Energy Information Administration Hourly Data

Unconscious Bias?

The Honeywell employee who was fired for refusing mandated race awareness training.



‘Woke capitalism’ is a phenomenon that has spread across the American business landscape.

Chuck Vavra was a principal engineer at Honeywell when, in September 2020, he and other Honeywell employees received an email from a senior executive that conveyed the executive’s feelings about the Breonna Taylor and George Floyd cases. The executive mourned the fact that the police officers in the Taylor case were not indicted and talked about “unconscious bias,” which he attributed to all Honeywell employees. Vavra thought the email was objectionable and demeaning, both to him and to the company’s black employees.

Then, in early 2021, Vavra and other Honeywell employees were ordered to undergo unconscious bias training. Vavra objected to this decree because he believed that such training is based on a false premise and promotes division within what was, until then, a diverse and harmonious workplace. Further, he believed the training had nothing to do with his job duties. He therefore decided not to

sign up for the mandated sessions.

After repeated demands that he submit to unconscious bias training, Vavra wrote a lengthy email explaining his position to corporate management.

“I have plenty of work to do” he wrote, “and it frustrates me to no end that I have to waste even a minute of my time explaining how offensive this is to some people when it should be painfully obvious. I, for one, have ALWAYS supported racial equality. I don’t, and never did need ‘unconscious bias’ training to know right from wrong.”

This led to a climactic telephone call in which Vavra repeated that, as a matter of principle, he declined to undergo unconscious bias training. At the end of the call, he was summarily fired.

When Vavra subsequently applied for unemployment compensation, Honeywell denied his claim on the ground that he was fired for misconduct.

“Woke capitalism” is a phenomenon that has spread across the American business landscape. Many companies have officially adopted leftist doctrines of Critical Race Theory, systemic racism, unconscious bias, and so on. Worse, like Honeywell, they have forced their employees to at least pretend to subscribe to these doctrines on pain of termination.

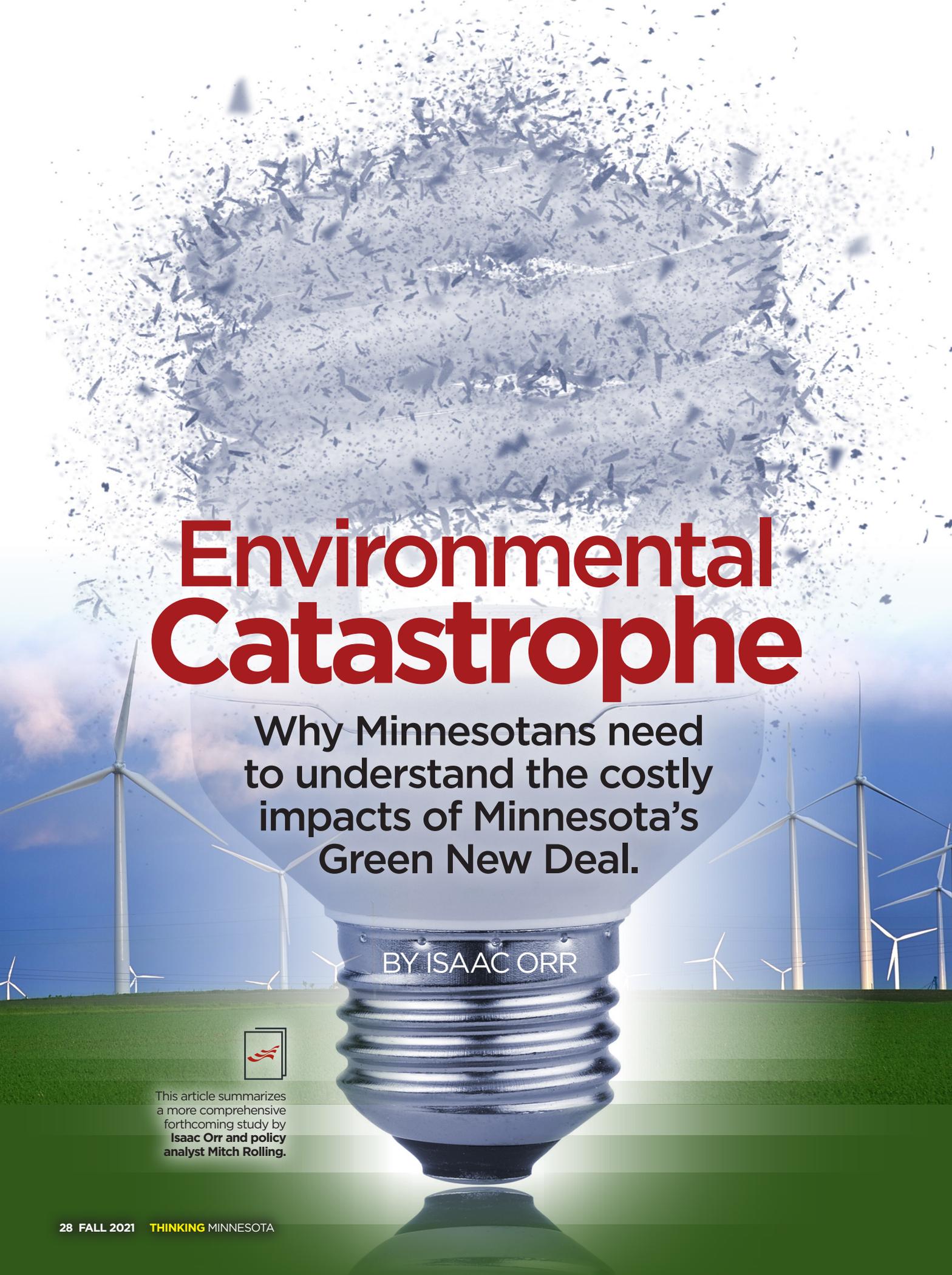
“I was terminated,” Vavra says, “because I objected to the attempt by Honeywell to impose an ideology on me and other employees that demonized whites as all-powerful bad oppressors and demeaned blacks as ‘victims’ without the ability to effectively act in their own interest.”

Most employees submit to such corporate pressures, however grudgingly, but a few, like Vavra, resist out of principle. Do they have any recourse against their employers? Possibly so: the Upper Midwest Law Center (UMLC) is now representing Vavra. It has helped Vavra file a charge with the Equal Employment Opportunity Commission, alleging race discrimination and harassment. While that charge is pending, UMLC’s lawyers are also preparing a federal lawsuit on Vavra’s behalf, containing the same allegations.

“Vavra should not have to endure racist propaganda in the workplace or be terminated for objecting to it,” says Doug Seaton, UMLC’s president. “Honeywell’s actions are illegal and should horrify Minnesotans. We will fight to end this propaganda in private sector work places, just as we have in the schools and government agencies.”

Vavra’s case is one of several the UMLC has taken on to fight back against Critical Race Theory and associated doctrines. The legal waters in these cases are uncharted, and it would be hard for an individual litigant to bear the fees and costs necessary to fight a giant company in court. But the Law Center, as a donor-supported 501(c)(3) nonprofit, can undertake such principled battles without charge. ★

—John Hinderaker



Environmental Catastrophe

Why Minnesotans need
to understand the costly
impacts of Minnesota's
Green New Deal.

BY ISAAC ORR



This article summarizes
a more comprehensive
forthcoming study by
Isaac Orr and policy
analyst **Mitch Rolling**.

Environmental activists and popular media like to portray wind turbines and solar panels as the only salvation for a civilization on the brink of a manmade environmental disaster. But the reality is not so simple: All human activities impact the environment, whether that activity is manufacturing, mining, or even tourism.

Unfortunately, “green energy” activists invariably overlook this fact as they argue that wind turbines and solar panels provide an unqualified benefit for the environment.

This muddles Minnesotans’ ability to make informed decisions about the costs and benefits of competing electricity generation technologies. To do so, they need to understand the significant, negative environmental impacts associated with these “green” technologies.

This article will examine the environmental impact of a Minnesota “Green New Deal,” a hypothetical situation in which our state transitions away from fossil fuels and nuclear energy to a grid powered exclusively by wind turbines, solar panels, and batteries, as proposed by Governor Tim Walz and other Democratic legislators.

What would a “Green New Energy Grid” look like?

Everybody knows that sunlight and windy breezes do not create pollution. However, the technologies that humans build to harvest the energy from wind and solar resources — wind turbines, solar panels and lithium-ion batteries — require the mining of raw material, processing of minerals, manufacturing, construction, and ultimately, tearing them down at the end of their useful lives, and each of these phases has an impact on the environment.

Engineers have trouble predicting how many wind turbines, solar panels and batteries would be needed to have a “Green New Electric Grid” because it’s impossible to know how much electricity these energy sources will generate at any given hour on any given day. Their electricity generation varies with the weather.

During the early summer of 2021, for

example, wind turbines produced less than one percent of their potential output for multiple hours due to low wind speeds, even as demand for electricity for air conditioning soared (See Figure 1).

As a result, grid planners need to “overbuild” the number of wind turbines and solar panels needed to compensate for the highs and lows in power production. Even then, they pray they’ll have enough electricity available when it is needed most, and avoid the shortages experienced in California and Texas.

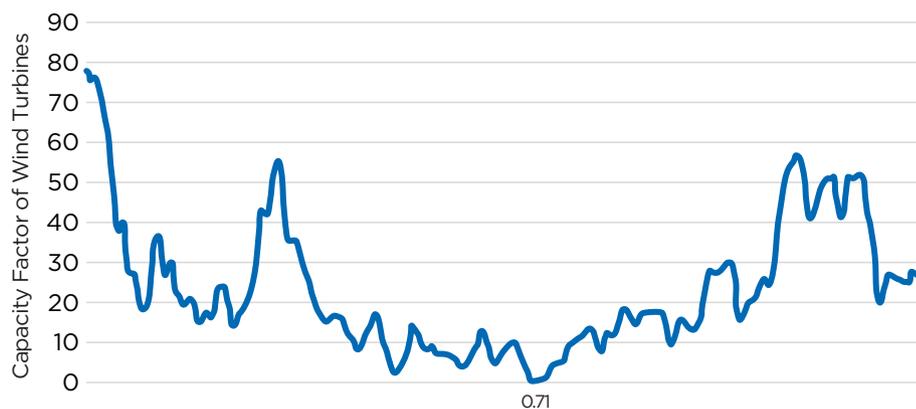
five million gasoline and diesel-powered cars with electric vehicles.

The numbers are striking.

Massive quantities of metal

Wind and solar are infinite energy resources, but the metals and minerals used to make wind turbines, solar panels, batteries and electric vehicles are not. This is crucial to understand because a recent study by the International Energy Agency (IEA) found that “renewable”

Wind Turbine Capacity Factors in MISO June 24, 2021 Through July 5, 2021



Sources: U.S. Energy Information Administration, MISO planning Year; 2021=2022: Wind& Solar Capacity Credit

This calculation becomes even more complicated when we consider that only about one-third of our daily energy comes from electricity. The rest comes from the oil in our cars, trucks and planes, and the natural gas used for home heating and industrial purposes.

For our own estimates, American Experiment used an analysis prepared for Xcel Energy by Energy + Environment Economics (E3), which sought to determine how many wind turbines, solar panels and batteries would be needed to eliminate fossil fuels and nuclear power from their electric grid.

Then, we scaled these numbers up to reflect how much wind, solar and battery capacity would be needed to eliminate fossil fuels from the entire economy (beyond Xcel’s coverage area). We also calculated how much metal would be needed to replace Minnesota’s roughly

energy sources require far more metal than traditional energy sources.

Using estimates of metal consumption from IEA and the World Bank, American Experiment estimated the quantity of metal required to eliminate fossil fuels and nuclear power from the U.S. energy system and replace America’s cars with electric vehicles.

It would require four percent of the *global* annual production of copper, 18 percent of global nickel production, and *164 percent* of global annual cobalt production to “decarbonize” a single U.S. state (See Figure 2).

These figures are stunning. Further context reveals the full scale of metals needed to convert just one state from fossil fuels to wind, solar, and batteries.

A recent analysis by Goldman Sachs entitled “Copper is the New Oil” concluded that only one million metric

tons of the copper were used for “green” purposes, in wind turbines, solar panels and electric cars, in 2020. This means that electrifying the state of Minnesota would account for roughly 71 percent of global “green” copper consumption in 2020. Anyone who thinks this is “sustainable” needs to take a sobering look at the numbers.

Where we mine matters

Increasing our reliance upon wind turbines, solar panels, batteries and EVs will spur an enormous demand for metals. The amount of environmental destruction that results from this mining will largely depend upon where the mining occurs because different nations have vastly different regulations in place to protect the environment from the impact of mining.

Developed nations like Australia, Canada and the United States have robust regulations that protect workers and the environment during and after the mining process. In contrast, environmental destruction is often greatest in the developing world, where oversight and enforcement of environmental protections are weak, or non-existent.

For example, 55 percent of global cobalt production comes from the Democratic Republic of the Congo (DRC), where the United Nations Children’s Fund estimates 40,000 boys and girls are working in cobalt mines. These children work in unsafe working conditions and wash the cobalt ore in rivers. Such a practice would be unthinkable and illegal in the modern mining industry in the United States.

Ironically, many of the same advocacy groups who want to run our energy system on an electric grid using wind turbines, solar panels and batteries are also at the forefront of fighting environmentally responsible mining projects in Minnesota, which has some of the

largest deposits of copper, nickel, and cobalt in the nation.

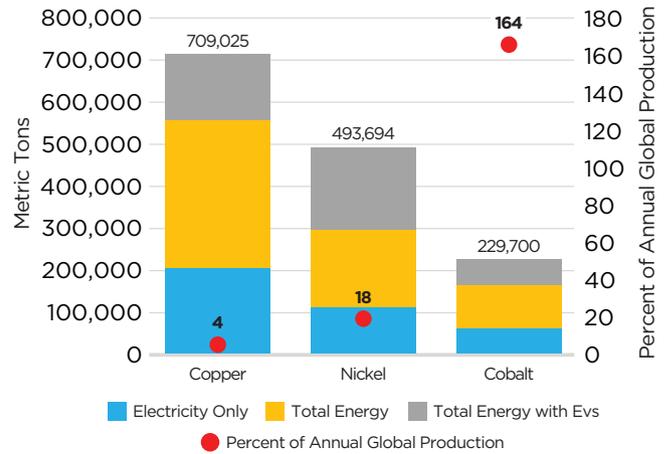
If we don’t mine in areas with strong protections, the metals will be developed in areas with few, if any, protections for workers or the environment. This means the mining will do more damage than it would in countries with robust regulatory frameworks.

Sadly, the amount of environmental damage that occurs as a result of unregulated mining operations is impossible to calculate because these operations do not conduct environmental monitoring to measure the impact of the mine on the environment.

Where we manufacture matters, too

Solar panels and wind turbines don’t magically appear. They must be manufactured. According to *Reuters*, 80 percent of the global supply of solar panels comes from China. As you can probably imagine, Chinese manufacturing facilities are not subject to strict environmental regulations.

Metal Required for a Minnesota Green New Deal



Sources: Xcel Energy E3 Planning, International Energy Agency, United States Geologic Survey

In fact, protests erupted outside of a Jinko solar manufacturing facility in 2011 because the company was dumping toxic waste into rivers, killing fish and harming the ecosystem.

China also produces much of its supply of polysilicon, a crucial ingredient in solar panels, in Western China — in factories powered by coal-fired power plants, according to the *New York Times*. These panels are being assembled by Muslim Uighurs in what has been described as slavery.

Decommissioning wind turbines and solar panels

Another environmental concern that deserves greater attention is the impact of tearing down wind and solar facilities after they have reached the end of their useful lives.

While all power plants eventually wear out and need to be replaced, wind turbines only last for 20 years, and most solar panels are only warranted for 25 years, which means these electricity generation technologies do not last as long as coal and natural gas, which operate for more than 60 years, and nuclear power plants, which can last for 80 years.

This means wind turbines and solar panels are essentially disposable power plants that will need to be decommissioned and disposed of more frequently than natural gas, coal and nuclear power plants.

Wind turbines

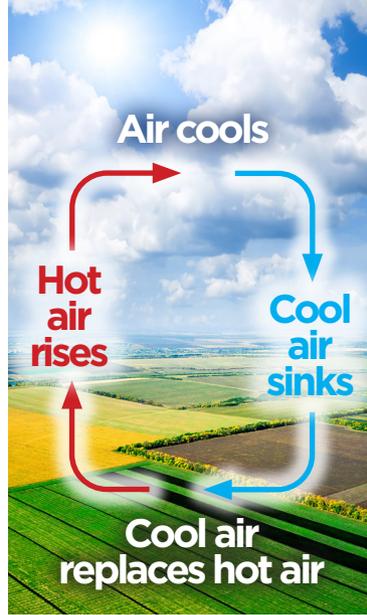
There are two main structural components of a wind turbine: the turbine itself, and the concrete foundation it is anchored to. Decommissioning each of these structures comes with financial and environmental costs.

Most of the actual wind turbine is made from recyclable materials. This includes the steel, iron and copper used in the tower and electrical wiring. The wind turbine blades, however, are not recyclable because they are made of very high strength fiberglass and plastic. As a result, these wind turbines are crushed and sent to the handful of landfills around the country

that will accept them.

Wind turbine foundations, composed predominantly of concrete and steel rebar, are not recyclable, either.

There are a wide variety of wind turbine foundations used by the industry, but one of the most common types, the octagonal foundation, measures 40 to 60 feet in diameter, and is eight to 11.5 feet thick. However, utility companies and wind turbine owners only remove the first four feet of a wind turbine foundation, which means most of this concrete will remain underground forever.



significant. Real-life measurements taken at a Texas location with one of the world's largest clusters of operational wind turbines documented differences in surface temperature in three observational studies. These studies found the Texas location is 0.018 degrees Fahrenheit warmer during the day and 0.5 degrees Fahrenheit warmer at night.

This enormous amount of warming swamps the amount of temperature increase that would be averted by reducing Minnesota's carbon dioxide emissions to zero. Using the same logic as the Obama administration, completely reducing

Solar panels

Solar panels present a much larger environmental problem than wind turbines because there is no cost-effective or practical way to recycle them.

The *Harvard Business Review* estimates it costs between \$20 and \$30 to recycle a single solar panel but only \$3 is recovered from selling the recovered copper, aluminum and glass. Sending that solar panel to a landfill, instead, costs only \$1 to \$2. As a result, solar panels often end up in landfills, or they are exported overseas for reuse in developing countries with weak environmental protections.

Solar panels also contain heavy metals such as cadmium and lead, which are toxic. Academic research has found that these heavy metals can be almost completely washed out of broken solar panel fragments over a period of several months by rainwater, which has slight natural acidity.

The *Harvard Business Review* finds that generous subsidies for solar panels are incentivizing people to replace them before their 25-year lifetimes are over, causing a much larger amount of solar waste. The researchers warned of a "looming solar trash wave," where the volume of solar waste would surpass new installations. By 2035, discarded panels would outweigh new units sold by 2.56 times.

Impact on global temperatures

Activists view wind turbines and solar panels as the solution to global warming, but these people ignore scientific research from Harvard University that shows wind turbines cause far more local surface warming than reducing Minnesota's greenhouse gas emissions could ever hope to avoid.

The 2018 Harvard study in the academic journal *Joule* found that wind turbines cause significant local surface warming near wind facilities because wind turbines redistribute heat within the upper and lower atmosphere by mixing boundary layers, like a giant box fan circulating heat in a room. The blades of the wind turbine bring warm air, that would normally rise, back down to the surface.

Wind-driven warming is very

Minnesota's greenhouse gas emissions would reduce future global temperatures by 0.0054 degrees Fahrenheit by 2100, an amount that is nearly 100 times smaller than the actual observed temperature increases measured in Texas.

For these reasons, the Harvard researchers state, "If your perspective is the next 10 years, wind power actually has — in some respects — more climate impact than coal or gas. If your perspective is the next thousand years, then wind power has enormously less climatic impact than coal or gas."

This admission is stunning because Minnesotans are continually told that all manner of plagues and natural disasters will happen if we don't build more wind turbines and solar panels. For all practical purposes, these energy sources will produce almost 100 times *more* warming at the surface, where it will make droughts worse by evaporating soil moisture, melt snow cover, and harm the ability of farmers to put food on our tables.

Liberal hypocrisy

The activists that tell Minnesotans that building wind turbines and solar panels is their only ticket to environmental salvation, should also admit that nothing is free. These energy sources also have negative impacts on the environment.

Interestingly, the urban liberals most likely to preach about the importance of wind and solar energy almost never bear their costs. Many times, the same people who oppose environmentally responsible copper-nickel mining in Minnesota are the groups advocating for more wind turbines, batteries and electric cars. As a result, the people who drink fair-trade coffee oppose fair-trade cobalt, and they are effectively ensuring that this mining will cause far greater harm to people and the planet than would otherwise occur if we mined in our backyard.

Similarly, urban liberals generally don't have to live next to the landfills that contain deceased wind turbine blades and solar panels, because those will be out in rural Minnesota or in other states. They also won't have to experience the regional warming that wind turbines cause because they'll be many miles away in their air-conditioned homes. ★



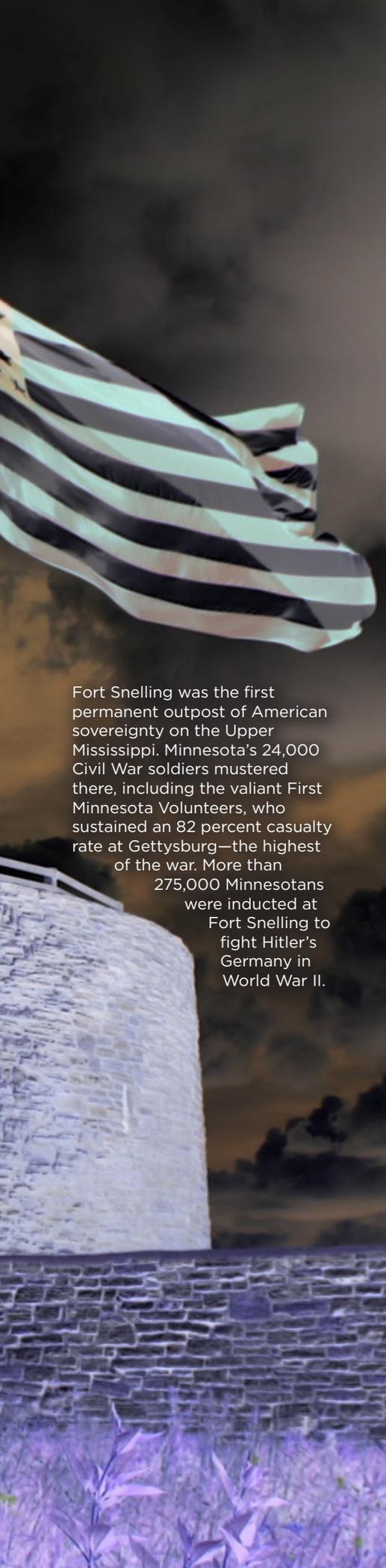
Isaac Orr is a policy fellow at Center of the American Experiment where he writes about energy and environmental issues, including mining and energy policy.

≡ A RADICAL TAKEOVER

Weaponizing History

How a small
cadre of political
radicals is hijacking
the mission of
the Minnesota
Historical Society.

By Katherine Kersten



Fort Snelling was the first permanent outpost of American sovereignty on the Upper Mississippi. Minnesota's 24,000 Civil War soldiers mustered there, including the valiant First Minnesota Volunteers, who sustained an 82 percent casualty rate at Gettysburg—the highest of the war. More than 275,000 Minnesotans were inducted at Fort Snelling to fight Hitler's Germany in World War II.

A scandal is unfolding at one of Minnesota's oldest, most venerable institutions — the Minnesota Historical Society (MNHS). It's the untold story of how a small, committed cadre of activists have commandeered MNHS's resources and prestige to make it the vehicle of a destructive, self-serving political agenda.

Why is MNHS in activists' crosshairs? Because history has become a prime weapon in the American Left's campaign to transform our institutions and self-understanding.

MNHS's mission is to preserve our state's history and pass it on to future generations: to tell us who we are and where we came from. By rewriting history, activists seek to convert that story to one of oppression and injustice, questioning the legitimacy of our very foundations.

Today, MNHS is promoting a simplistic, revisionist historical narrative that paints Native Americans as good/victims and Minnesota settlers as evil/oppressors. It is advancing a radical premise: Minnesota's current residents are here illegally — unjustly exploiting land that rightfully belongs to the Dakota Indians. In line with this campaign,

MNHS is “re-envisioning” Fort Snelling, our state's most valuable historical asset.

Fort Snelling was built in 1820, shortly after the Louisiana Purchase. It was the first permanent outpost of American sovereignty on the Upper Mississippi. Minnesota's 24,000 Civil War soldiers mustered there, including the valiant First Minnesota Volunteers, who sustained an 82 percent casualty rate at Gettysburg — the highest of any unit in any one battle of the war. More than 275,000 Minnesotans were inducted at Fort Snelling to fight Hitler's Germany in World War II. The fort was also home to our state's first school, hospital, library and post office.

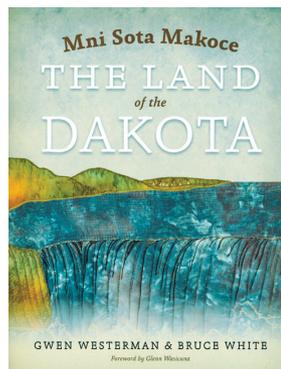
But today MNHS is reframing the fort as a site, first and foremost, of “genocide” and minority victimization.

Its rich, 200-year military legacy is becoming a footnote — a source, not of pride, but of shame to present-day citizens.

Museum codes of ethics require museum leaders always to act in a way that preserves public confidence and trust. Scholarly, balanced historical interpretation is at the heart of that responsibility.

But MNHS has broken trust with the people of Minnesota. Today, misleading “narratives” and double standards abound in its exhibits and publications.

For example, Ft. Snelling's website now features the



MNHS Press published a new book — *Mni Sota Makoce: The Land of the Dakota* — which laid the ideological cornerstone for rewriting Minnesota history through the decolonization lens.

logo of the International Coalition of Sites of Conscience, connecting it in Minnesotans' minds with sites of mass murders like Soviet gulags and Nazi death camps. To justify this, MNHS is grossly misrepresenting the complex history of a central event in Minnesota history: the U.S.-Dakota War of 1862.

In this war, Dakota warriors massacred more than 600 Southwest Minnesota settlers — the largest number of whites killed in a war with Indians in United

States history. In relative terms, the death toll today would be 15,000 — fully *five times* the lives lost on September 11, 2001. But MNHS fails to convey either the nature and scale of the conflict or the brutal way many victims were slain.

Likewise, a typical MNHS interactive video for Minnesota schoolchildren — who are required to study Dakota history — romanticizes the Dakota as peace-loving, while depicting white settlers as swarming locusts and prominent settlers, like missionary Stephen Riggs, as malicious, robotic puppets. The video is “the definition of propaganda,” in the words of one dismayed Minnesota historian.

At MNHS, we hear constantly these days about “stories” and “voices,” but next to nothing about facts and evidence. The underlying premise is that the study of history is not an evidence-based search for truth, but a clash of opposing groups’ subjective “narratives.”

MNHS justifies its new orientation by claiming it is merely telling “all the stories.” In fact, it is primarily selecting stories that support an ideologically driven political agenda.

MNHS was founded in 1849, and enjoyed a sterling reputation for scholarly integrity for more than 150 years. Though legally a non-profit, it is largely publicly funded. MNHS’s new revisionist narrative is inconsistent with history as documented in its own extensive collections and publications. How did it take hold?

The ideology that now dominates MNHS’s Native American initiatives — called “decolonization” — is rapidly gaining influence on the Left. At its heart lies a Marxist concept: history is a relentless, zero-sum power struggle between oppressors and victim groups. White Europeans are the villains, cast as “colonizers” who ruthlessly exploit the land, labor and resources of non-white people.

Decolonization seeks to discredit our nation’s foundations, opening the way for transformation of our political and cultural institutions. At the national level, the *New York Times*’ 1619 Project is a paramount example. In Minnesota, MNHS holds that “most Minnesotans

today are descendants of immigrants, living on conquered land,” and are here illegally and unethically, according to *Fort Snelling at Bdote: A Brief History*, by Peter De Carlo, published in 2017 by MNHS Press.

Decolonization began to take hold at MNHS around 2008, the 150th anniversary of Minnesota’s statehood. That year, Native American activists, skilled in political theater, mounted a “Take Down Fort Snelling” campaign, with protests that pressured MNHS to embrace their revisionist historical narrative.

This campaign was the brainchild of Angela Cavender Wilson (Waziyatawin),

work of site staff members have brought changes in focus, in vocabulary, and in message to Historic Fort Snelling’s programing.”

The new era at MNHS begins: *Mni Sota Makoce*

In 2010-11, MNHS began a “big shift” in its “strategic priorities” and its historical interpretation of Ft. Snelling. In 2012, MNHS Press published a new book — *Mni Sota Makoce: The Land of the Dakota* — which laid the ideological cornerstone for rewriting Minnesota history through the decolonization lens.

Mni Sota Makoce began as a



They depict Minnesota’s 19th-century immigrant farmers as greedy “imperialists.”

a college professor and Wahpetunwan Dakota from Minnesota. She denounced the fort as an “icon of imperialism” and called for “an end to settler domination of life, lands and peoples in Dakota territories.” She advocated “taking down Fort Snelling” along with “all monuments, institutions, place names and texts” that perpetuate the “institutions and systems of colonization.”

At the time, MNHS leaders were already flirting with the trendy new ideology. They “used the external pressure as a catalyst for action,” according to the De Carlo book. “The demonstrators’ criticisms...and the

project of the Two Rivers Community Development Corporation (TRCDC), a Native American non-profit. Syd Beane, the group’s co-founder, has described himself as the first Native American to train in a long-term program at political organizing guru Saul Alinsky’s Chicago-based Industrial Areas Foundation.

Beane is a community organizer, not a historian. In 2009, he told the *Twin Cities Daily Planet* that he was inspired by Alinsky’s book, *Rules for Radicals*. “Trust” and “transparency” weren’t in Alinsky’s vocabulary. His modus operandi was subterfuge and psychological manipulation. “The most

effective way to achieve revolution is to work inside the system,” he wrote, employing strategies like the following:

- “An organizer must stir up dissatisfaction and discontent.”
- “Before men can act an issue must be polarized.”
- “The ethics of means and ends is that in war, the end justifies almost any means.”

The mission of Beane’s *Mni Sota Makoce* project was baldly political: “To research alternative approaches for the recovery of historic Dakota lands and stories” and to “advocate for Dakota involvement” at “the Fort Snelling area.” Its overarching goal was psychological manipulation to promote a self-serving narrative: “To make all Minnesotans aware that Minnesota was and is the homeland of the Dakota.”

Beane directed the book project, with his daughter Kate Beane as a researcher and Bruce White as research co-chair. White — the husband of MNHS Press director Ann Regan — has long-time decolonization sympathies. In 2009, he wrote a blog post entitled “Tearing Down Fort Snelling: Why It Makes Sense,” and approvingly quoted Waziyatawin’s description of the fort as a “moniker of imperialism.”

Despite the book project’s political advocacy agenda, MNHS took over and completed it in 2010 with a grant of \$107,000 in taxpayer funds. *Mni Sota Makoce*’s co-authors were White and Native American activist Gwen Westerman (now an MNHS board member). MNHS put its stamp of approval on — and its reputation behind — the book’s controversial mission, and made it the roadmap for its plan to “re-envision” Fort Snelling.

***Mni Sota Makoce*’s decolonization claims**

Mni Sota Makoce rewrites history in fundamental ways, all vigorously disputed by independent Minnesota historians. Like Waziyatawin, it emphasizes Native American “oral tradition” — contemporary, poorly vetted Indian stories — at the expense of the

documented historical record.

The book’s revisionist narrative about Fort Snelling, for example, rests on three claims: that the fort’s site is Dakota “homeland” and has been for thousands of years; that the area is traditionally sacred to the Dakota; and that the Dakota are entitled to payback and control of the fort because it was a site of oppression, including a “concentration camp” and “genocide” after the U.S.-Dakota War of 1862.

In fact, the Dakota arrived in the Twin Cities area around 1700 after the Ojibwe, their traditional enemies, drove them from their villages at Mille Lacs. The Dakota seized the land, which the Iowa and Otoe tribes were occupying, and killed or expelled their opponents, according to the historical record.

Mni Sota Makoce’s second claim, about sacred status, is largely based on contemporary, undocumented “oral tradition.” Stephen Osman, the fort’s former long-time director, cannot remember hearing or reading such accounts before about 2000. Significantly, no mention of such claims appears in a 1998 MNHS book, *Fort Snelling in 1838: An Ethnographic and Historical Study*, by historian Helen White and Bruce White — her son and *Mni Sota Makoce*’s co-author — although the book focused particularly on the Dakota “point of view” on Fort Snelling.

Mni Sota Makoce’s final claim, about the concentration camp and genocide, is based on an egregious rewriting of the history of the complex and tragic U.S.-Dakota War. This horrific event sent shock waves throughout Minnesota. Many victims were defenseless women and children, including about 100 children ages 10 and under, and some were murdered in extraordinarily cruel and vicious ways.

After the war, the U.S. Army built a transit camp outside the fort to feed 1,600 Dakota women and children throughout the winter and protect them from grieving, revenge-minded settlers before they were moved elsewhere. Activists now misrepresent its purpose and conditions to plug the decolonization narrative of oppression. Far from

a “concentration camp” — loaded language first applied to Fort Snelling by Waziyatawin — the camp’s purpose was to protect Dakota dependents, not exterminate them.

Mni Sota Makoce not only tells misleading and politically driven “stories.” It omits facts that provide the vital context necessary to understand our state’s history accurately.

For example, decolonization ideology’s central claim is that Minnesota is stolen land — the “land of the Dakota” — and that justice requires “giving it back.” This false claim ignores the fact that, starting in 1946, the U.S. government meticulously addressed land-related and other grievances through a decades-long process involving an Indian Claims Commission established by Congress.

As a result of this process, the government paid the Mdewakanton, Wahpekute, Sisseton and Wahpeton Dakota bands, including non-enrolled lineal descendants, millions of dollars in numerous payments. This was in addition to money the Dakota received pursuant to treaties prior to 1863, and other money they received after 1863.

In accepting the Commission’s final judgments, the bands agreed those judgments will “dispose of all rights, claims or demands, which the claimants have asserted, or could have asserted, with respect to the subject matter of the cases.” It is unconscionable that MNHS allows statements by its staff and publications that suggest this comprehensive process never happened.

Second, the attempt to depict Minnesota’s 19th-century immigrant farmers as greedy “imperialists” is inconsistent with the historical record. Vast expanses of the 35 million acres the Dakota sold in the 1851 Mendota and Traverse des Sioux treaties (basically the southern half of the state) were essentially uninhabited.

An estimated 7,000 Dakota lived there at the time, according to *Making Minnesota Territory, 1849-58*, edited by A.R. Kaplan and M. Ziebarth. However, the Dakota actually occupied only a small part of that land, living mostly by rivers or other water sources and generally ranging out to the woods and

prairies only to hunt. This translates to a population density of 8.4 square miles per individual Dakota, or about 34 square miles per household of four. That is a lot of vacant territory for such a sparse population to claim and hold.

Finally, *Mni Sota Makoce* presents Minnesota history as a sordid, one-dimensional tale of Dakota suffering at the hands of grasping settlers. Some Minnesota settlers did reprehensible things, as did some Dakota. But the advent of America brought major benefits, as well as costs, to the Dakota.

At the time of settlement, for example, the Dakota were subsistence hunter-gatherers, and often faced famine in harsh Minnesota winters. A warrior society, they frequently clashed violently with the Ojibwe, their bitter enemies.

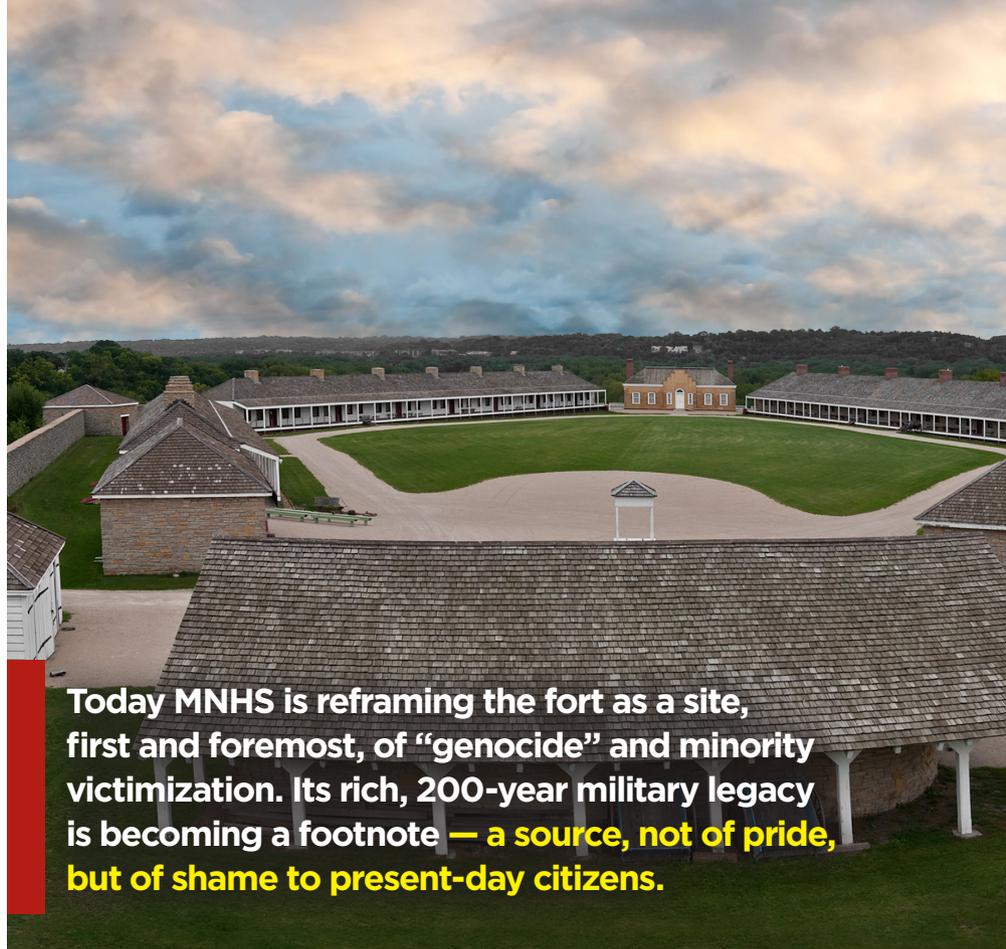
Indian agents at Fort Snelling regularly supplied the Dakota with goods they craved — traps, axes, guns and knives that helped them survive — and gave them food and tobacco. Missionaries created a written language for them, and the U.S. government helped keep the peace, sponsoring more than 200 peace councils between the feuding tribes from 1820 to 1831. The government also provided strong support for a model village at Lake Calhoun where, using intensive agriculture, the Dakota were able to feed themselves and sell the surplus.

In recent times, the Dakota have profited greatly from modern advantages. These range from electricity and indoor plumbing to higher education and modern medicine. But MNHS's victimization narrative raises serious obstacles to a balanced consideration of complex costs and benefits like this.

Decolonization is now entrenched

Today, revisionist influence dominates MNHS's Native American-related exhibits, programs, school curricula and publications. But activists now rewrite history from *inside*, not outside, MNHS.

Kate Beane, Syd Beane's daughter and *Mni Sota Makoce* researcher, has become the director of MNHS's Native American Initiatives department. A new permanent exhibit — "Our Home: Native



Today MNHS is reframing the fort as a site, first and foremost, of "genocide" and minority victimization. Its rich, 200-year military legacy is becoming a footnote — a source, not of pride, but of shame to present-day citizens.

Minnesota," which opened in 2019 — was co-curated by Beane and reflects her decolonization agenda.

Today, MNHS is abandoning its obligation for balanced, rigorous scholarship, and is forthrightly advancing Native American activists' strategic priorities. These include re-envisioning Fort Snelling; renaming historic sites and public buildings; promoting "land acknowledgments" and "land back" crusades; and expanding activist influence in our state's K-12 classrooms.

Fort Snelling transformation

MNHS has described Fort Snelling's ongoing \$34.5-million makeover as a "sweeping transformation." When the fort fully reopens, this rebranding will push to the background the pivotal military history that led the National Park Service to designate it as Minnesota's first National Historic Landmark in 1960.

Here's how Kate Beane described MNHS's new plan for the fort to Minnesota Public Radio in 2017: "The way we view this history," she said, "is that this fort was put here to pave the way for European settlement. It is a symbol of colonization, of imperialism,

of years of unjust negotiations and dealings with our community.

According to *Minnesota Monthly*, Fort Snelling's makeover is an "indigenous-inspired revitalization" led by a group called the Dakota Community Council (DCC). MNHS created the DCC in 2016, as one of its first acts. The group's broad mandate included "ensur[ing] that Dakota people, history, perspectives and homelands are honored and sustained at MNHS properties," and "collaborating" on a "new interpretative plan" for the fort.

MNHS leaders rejected calls to make DCC members' names public until 2020, when they did so after pressure from Center of the American Experiment. Syd Beane and Carly Bad Heart Bull, Kate Beane's father and sister, topped the list of those forging plans for Fort Snelling's future.

As part of this process, MNHS moved to change the fort's name to reflect the proprietary claims of Dakota activists. By law, only the Minnesota Legislature can change the fort's name. But in 2017, MNHS unilaterally erected signs at the fort, describing it as "Historic Fort Snelling at Bdote." ("Bdote"



the logo of the International Coalition of Sites of Conscience (IOSC) is displayed on the fort's website. This creates the impression that a prominent international organization that demarks sites of atrocities — including a “concentration camp in Europe,” a “gulag museum in Russia” and a “slave house in Africa” — has formally designated Fort Snelling as such a site.

In fact, recent correspondence with MNHS Director and CEO Kent Whitworth suggests no such review ever took place. Instead, after MNHS paid for a standard IOSC membership, its leaders apparently decided unilaterally to tarnish the fort with this damning label. So much for “transparency.”

Visitors who approach Fort Snelling today are greeted by a sign that says “THIS SITE IS ON DAKOTA HOMELAND.” After its makeover, the fort will be dominated by Dakota historical and cultural interpretation, Dakota-inspired landscape plantings, and “public artwork” memorializing Shakopee and Medicine Bottle, two Dakota hanged for murders they committed during the Dakota

War. Kate Beane told the *Star Tribune* that the planned artwork represents the “ultimate sacrifice” of “two leaders” who were hanged “because of their participation in helping other leaders bring hundreds of Dakota elders, women and children to safety.”

But the claim that these convicted murderers were executed for safeguarding Dakota dependents is a flat-out falsehood. Beane extols Shakopee and Medicine Bottle as heroes who selflessly gave their lives for others. But she, and MNHS, are virtually silent about the brutal murders of helpless settler women and children these men and others carried out.

Renaming of sites and buildings

MNHS is also aiding and abetting Native American activists' campaign to rename historic sites and public

buildings in line with decolonization ideology. In Spring 2021, for example, it livestreamed four forums on “Renaming and Reclaiming Public Spaces.” The series' focus included Lake Calhoun, Ramsey Middle School in Minneapolis, and Henry Sibley High School in Mendota Heights — the latter two named for prominent settler leaders.

The first episode featured Kate Beane and Carly Bad Heart Bull. The sisters led the recent high-profile campaign to replace Lake Calhoun's name with “Bde Maka Ska” — like “Bdote” a historically undocumented name favored by activists.

The Beane sisters used classic community organizing techniques. For example, they “show[ed] up at countless public meetings” where they “led emotional crowds through slow readings of ‘Bde Maka Ska,’” according to *City Pages*. In 2015, African-American civic leader Peter Bell resigned as chair of a Minneapolis Park Board advisory panel on Lakes Harriet and Calhoun charged with lake renovations. He cited renaming activists' overbearing conduct, which he told the *Star Tribune* had “sucked the air out of the room.”

Kate Beane's tactics in this activist campaign fell far short of museum expectations for professional conduct. She disparaged critics on her Facebook page, calling them “racist settler descendant trolls” and asserting that their words “just prov[e] what poor ‘researchers’ you are.”

She used similar language on Facebook in response to a *Pioneer Press* op-ed by Garrison Keillor:

I'll tell you what's absurd:

Garrison Keillor. Well, duh, dude.... That's the news from our Minnesota. Where our children will learn better, our women are heard, and men like you can stop talking.

MNHS's March 2021 MNHS webinar on the Beane sisters' political advocacy at Lake Calhoun was a publicly funded cheerleading session for the decolonization agenda. It lacked any dissenting perspective, and Beane dismissed her critics' objections as “White supremacy...rearing its ugly head.”



Fort Snelling's website now features the logo of the International Coalition of Sites of Conscience, connecting it in Minnesotans' minds with sites of mass murders like Soviet gulags and Nazi death camps.

is a historically undocumented name, favored by activists, for an area the Mdewakanton Dakota — who lived there in the 1800s — called “Mdote,” meaning “confluence of waters.”)

MNHS's apparent, unauthorized attempt to circumvent the law with these signs led the legislature to threaten to withhold funding, and brought MNHS into public disrepute. Legislative and public pressure finally compelled the signs' removal.

MNHS also planned to rebrand the fort as a “site of conscience.” “Where the Waters Meet,” an introductory video on the fort, claims it was recently “named the state's first Site of Conscience,” and



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These include re-envisioning Fort Snelling; renaming historic sites and public buildings; promoting “land acknowledgments” and “land back” crusades; and expanding activist influence in our state’s K-12 classrooms.

Significantly, the transfer ceremony took place under the large red banner of “Land Back,” a militant Native American group dedicated to the “closure of Mt. Rushmore” and “return of all public lands in the Black Hills.” Land Back describes its crusade as the “cornerstone battle from which to build out the campaign to dismantle white supremacy and colonization.” Minnesota activists now have their sights set on additional public lands.

K-12 education

MNHS is already using

Land acknowledgments and “Land Back”

When MNHS’s “Our Home: Native Minnesota” exhibit opened in 2019, *Minnesota Monthly* described its land acknowledgment — “We are on Dakota land” — as “integral” to its mission. Today, organizations from the Guthrie Theater to the City of Eden Prairie are adopting these trendy public statements. Are they just empty gestures?

Not according to the Native Governance Center (NGC), a non-profit whose board members include Kate Beane. The NGC’s “land acknowledgment guide” features a variety of ways to monetize this otherwise toothless virtue-signaling.

The guide recommends compensating Native Americans who provide advice on land acknowledgments for their “emotional labor.” It also advocates paying “reparations” to Indian tribes, perhaps in the form “voluntary land taxes.” (In the guide’s words, “You’re already on stolen land. You might

as well pay rent.”) For details about “returning land,” it directs readers to an organization called “Resource Generation,” which promotes resources with titles like “For our Nations to Live, Capitalism Must Die.”

Transfers of land are already taking place in Minnesota. In February 2021, MNHS transferred 114 acres of the site where the U.S.-Dakota War began to the Lower Sioux Indian Community in Morton. “This isn’t the end,” Lower Sioux president Robert Larsen told the *Star Tribune*. “We hope this is just a kick-start to showing people that it can be done.”

The land in question is not just a historic site. It is both the place where Dakota warriors murdered approximately 25 unsuspecting people on August 18, 1862, and “a cemetery with the unmarked graves of murder victims spread throughout,” according to historian Curt Dahlin. Nevertheless, MNHS lobbied for the transfer and the Minnesota Legislature approved it.

its privileged access to our state’s schoolchildren to instruct the next generation in revisionist history. We can expect its influence to grow if the Minnesota Department of Education’s (MDE) proposed K-12 social studies standards are adopted in Fall 2021. MDE listed MNHS as a collaborator on standards implementation and resources when it released the first draft in late 2020.

The new draft standards would essentially erase the legacy of Minnesota’s 19th-century settlers, and rewrite state history as the grievance-ridden tale of the oppression of Dakota and Anishinaabe Indians. The standards are awash in decolonization buzzwords like “settler colonialism” and “U.S. Imperial expansion.” Terms like “indigenous,” “tribal” and “native” are used more than 200 times, while “Norwegian,” “Swedish,” “German” and “Irish” do not appear.

If adopted, the standards will groom the next generation of Minnesota citizens to fall in line behind a radical activist political agenda. A major goal appears to be convincing students that the state they live in rightfully belongs to indigenous people.

For example, when elementary schoolchildren study American states and capitals, they will be required to recognize the “Indigenous land these places were built on.” Some benchmarks



Katherine Kersten, a writer and attorney, is a senior policy fellow at Center of the American Experiment. She served as a Metro columnist for the *Star Tribune* (Minneapolis) from 2005 to 2008 and as an opinion columnist for the paper between 1996 and 2013. She was a founding director of the Center and served as its chair from 1996 to 1998.

refer to our state as “the land that is now Minnesota.” Students will have to learn the locations of Minnesota’s 11 tribal nations, but not the names or locations of neighboring countries, major cities, oceans or continents. They will also be instructed that place names “may be changed,” and that Europeans committed “genocide” and “theft of indigenous lands.”

Double standards are pervasive. For example, students will be exhorted to “center indigenous voices,” but will remain ignorant of the Dakota warrior culture’s practice of routinely killing or enslaving opponents. White students will be encouraged to feel guilt about the conduct of whites 150 years ago, but Native American students will not be held responsible for their forbears’ actions.

If the past is any indication, we can expect MNHS to create curricular materials that support indoctrination of this kind.

In July 2021, MNHS Director Kent Whitworth responded to a critical op-ed in the *Star Tribune* with a counterpoint

illustrating the mindset that now pervades MNHS. He acknowledged that MNHS can “do better,” but repeated the threadbare claim that it is merely expanding “the stories” told. He added that his great-great-grandmother had been “captured” and “released” by the Dakota during the 1862 war, but offered no details.

Perhaps Whitworth doesn’t know what really happened that horrific day. After his counterpoint appeared, Minnesota historian Curt Dahlin sent him a published account of the ordeal of a group of fleeing settlers that included Whitworth’s great-great-grandmother, Sophia Lammers, but says he never received a response.

One of the settlers, Justina Kruger, recounted the terror she and her neighbors endured near Morton on the war’s first day. Wounded herself, Krueger says she witnessed a Dakota warrior “seize Wilhelmina Kitzman [Kietzmann], my niece, yet alive [aged four], hold her up by the foot, her head downward,

her clothes falling over her head; while holding her there by one hand, in the other he grasped a knife, with which he hastily cut the flesh around one of the legs, close to the body, and then, by twisting and wrenching, broke the ligaments and bone, until the limb was entirely severed from the body, the child screaming frantically, ‘O God! O God!’”

“When the limb was off, the child, thus mutilated, was thrown down on the ground, stripped of her clothing, and left to die!”

Minnesotans are not likely to find this story, or others resembling it, among the stories MNHS now chooses to tell.

MNHS, the steward of our state’s history, is today effectively erasing important components of that history. Unless our elected officials, civic leaders and citizens demand that it fulfill its obligations for historical accuracy, transparency and accountability, the false and dangerous narrative it is promoting will — over time — become accepted as truth. ★

THE DENNIS PRAGER SHOW

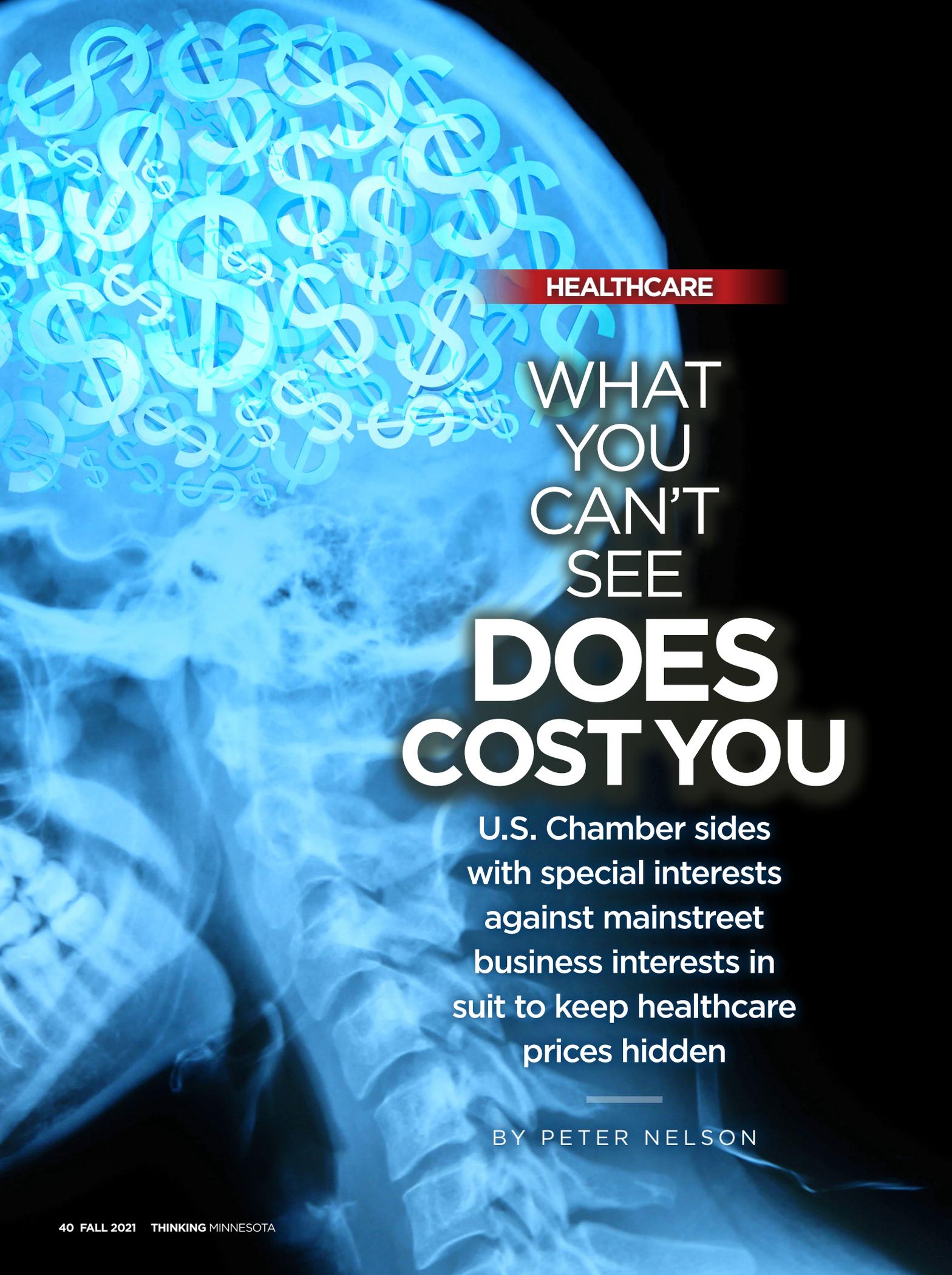
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HEALTHCARE

WHAT
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SEE
**DOES
COST YOU**

U.S. Chamber sides
with special interests
against mainstreet
business interests in
suit to keep healthcare
prices hidden

BY PETER NELSON

The U.S. Chamber of Commerce and pharmacy benefit managers (PBMs) filed separate lawsuits in August challenging key elements of a price transparency rule for health plans finalized last fall by the Trump administration. This rule took a historic step to finally provide patients meaningful information on health care prices upfront and empower innovators to develop tools for patients to make better, value-conscious decisions. Special interests, such as the PBMs, have long profited from hidden pricing and these lawsuits are clear efforts to avoid having to compete on price.

Historic price transparency rule

In June 2019, President Trump issued an Executive Order on Improving Price and Quality Transparency in American Healthcare To Put Patients First, making price transparency one of his administration's top healthcare priorities. The goal of the EO is simple: to increase competition, innovation, and value in the health system by making price and quality information more broadly available.

America's health care system has long had a cost problem. Health care costs consistently rise faster than the overall inflation rate and, as a result, consume a greater portion of the economy. Hidden pricing is a key contributor to this cost problem. Simply put, providers don't have to compete for individual patients on price when the price is hidden. This, in turn, substantially lessens the competitive pressure to keep prices down.

For decades, powerful special interests that profit from hidden pricing, including PBMs, large hospital systems and health insurers, have successfully held back or watered-down price transparency efforts.

However, they failed to water down the health plan transparency rule. This rule will deliver price transparency across most private health plans and for every

item and service they cover. It builds on a number of other federal initiatives to promote price and quality transparency, including a hospital transparency rule which now requires hospitals to publicly post the prices they negotiate with health plans. This rule has already been litigated and upheld by the courts.

Because of the health plan transparency rule's breadth and how it takes on a root cause responsible for the high and rising cost of American health care, Centers for Medicare & Medicaid Services Administrator (CMS) Seema Verma said it "represents perhaps the most consequential healthcare reform in the last several decades."

Trump sponsored, Biden approved

It appears the Biden administration has fully approved the price transparency initiatives sponsored and finalized by the Trump administration. In July, Biden directed the Secretary of Health and Human Services to "support existing price transparency for hospitals, other providers, and *insurers*." Under this executive order, CMS has already proposed a rule to significantly increase the penalties on hospitals for not complying with the hospital transparency rule. And since the lawsuits were filed, CMS issued a set of Frequently Asked Questions affirming their commitment to enforce the key elements of the health plan transparency rule.

Lawsuits challenge transparency rule

The Biden administration has already taken concrete action to promote price transparency. Litigation risks undermining the health plan transparency rule's comprehensive effort to apply meaningful transparency across every individual health insurer, employer health plan, hospital, clinic, and pharmacy.

The health plan transparency rule includes two main requirements. First, it requires health plans to provide an online shopping tool that provides the price for all items and services that the plan covers

and an estimate of the consumers out-of-pocket costs. Second, it requires health plans to publicly post data files online with additional pricing information in a "machine-readable format" that can be easily imported into a computer. This includes three separate data files with in-network negotiated prices, historical out-of-network prices paid, and prescription drug pricing. The lawsuits focus entirely on challenging aspects of this second requirement:

- First, they argue the entire machine-readable file requirement is unlawful because it violates the ACA's requirement that the information must be provided in "plain language." The

The U.S. Chamber dropped its lawsuit, but critics are still asking a lot of questions. Many U.S. Chamber members are likely struggling to understand why the organization filed the complaint in the first place.

essence of their argument is that the machine-readable file is by design a large, unwieldy data file with technical jargon designed to be imported into a computer and, therefore, by design is not plain language and cannot be understood by the general public.

- Second, they challenge the requirement to disclose the "historical net price" of prescription drugs within the machine-readable file. This is an estimate of the price a health plan paid for an in-network prescription drug after rebates or any other price concessions are paid to the plan. The historic net price aims to provide an

estimate of the total price the plan ultimately paid for the drug. While they make several arguments challenging this requirement, the main argument claims the historical net price is not a logical outgrowth from the proposed rule because the proposed rule does not include any specific reference to it and, therefore, deprived the public from a meaningful opportunity to comment.

Neither of these arguments are surprising — the final rule anticipated each of them — and so the U.S. Department of Justice should be prepared to provide a clear and convincing answer in court.

U.S. Chamber drops their complaint

The U.S. Chamber filed its case in the Eastern District of Texas in partnership with the Tyler Area Chamber of Commerce. While a lawsuit was expected, the U.S. Chamber's lead role in this challenge is a surprise. Though the U.S. Chamber has many members with a strong interest in keeping prices hidden — including health insurance carriers, third party administrators of self-funded group health plans, and PBMs — they have many members, maybe a majority that support the rule.

It appears the Tyler Area Chamber of Commerce got an earful from these businesses and withdrew from the lawsuit. In an email to the U.S. Chamber, the Tyler Area Chamber of Commerce explained it wanted to withdraw “based on feedback from community leadership.” As a result, the whole complaint was dropped, leaving just the one complaint filed by the PBMs.

The U.S. Chamber dropped its lawsuit, but critics are still asking a lot of questions. Many U.S. Chamber members are likely struggling to understand why the organization filed

the complaint in the first place. By representing so many businesses, the U.S. Chamber cannot please every member all of the time, but price transparency is a major issue with clear bipartisan support. Businesses across America are growing more and more frustrated with the chronic difficulty in managing the rising cost of health care for their employees. Thus, taking legal action against the health plan transparency rule appears in direct conflict with the interests of a large

Even if the PBMs win this case, price transparency will be hard to defeat over the long-term.

portion of U.S. Chamber members.

As the *Wall Street Journal* reports, this conflict surfaced in a simple question posed by the chief executive of Employee Benefits Consulting who asked the Tyler chamber, “why would a self-funded employer not want transparency in healthcare pricing?”

Instead of buying health insurance, a majority of employers are “self-funded,” meaning that they assume the financial risk of their employees’ health care benefits. Most of these businesses write lump-sum checks to pay their employees’ health care expenses without ever knowing the price of any individual service because they contract with a third-party administrator (TPA), often a health insurance company, that keeps the price hidden. This makes it very difficult for a self-funded plan to assess whether the TPA is negotiating good pricing. Moreover, there’s little opportunity for

the employer to design a health plan that helps steer and reward employees for choosing lower-cost, higher-value care.

Recognizing these constraints, most employers should welcome transparency. Indeed, the right question is, why would they not want transparency? Why would they not want to know whether their TPAs are actually negotiating a good deal on their behalf?

Many TPAs don't negotiate well

The fact is, recent research and the newly released hospital transparency data suggests many TPAs do not deliver good pricing. A 2019 study published by the RAND Corporation found wide variations in private hospital care pricing relative to Medicare, ranging from around 150 percent of Medicare at the low end up to 438 percent on the high end. The study asks the obvious question, “whether it is reasonable and necessary for some employers to be paying prices three times as high as Medicare, especially when apparently similar hospitals may have prices that are closer to Medicare’s reimbursement rates.” Seeing this unexplainable variation in pricing, the study concludes this variation “represents an important opportunity for employers to save money.”

A *New York Times* analysis of the pricing data newly required by the hospital transparency rule draws similar conclusions and pointedly notes how the data “hints at why the powerful industries wanted this information to remain hidden.” The data showed wide variations in pricing and “numerous examples of major health insurers ... negotiating surprisingly unfavorable rates for their customers.” In fact, they uncovered cases where the negotiated price was higher than the price for



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customers with no coverage at all.

With this failure to negotiate good pricing on behalf of employers coming into clear view — and in no small part thanks to federal transparency rules — the U.S. Chamber’s initial participation in this litigation makes no sense. Member businesses are not getting a good deal from health insurers and TPAs. Nonetheless, the U.S. Chamber filed a suit that appears focused on protecting the interests of health insurers and TPAs at the expense of every other employer.

Comparing the public comments of the U.S. Chamber and health insurers submitted on the transparency rules strongly suggests the U.S. Chamber is just carrying water for the health insurers. The U.S. Chamber’s complaint and the their public comments on the

With this failure to negotiate good pricing on behalf of employers coming into clear view—and in no small part thanks to federal transparency rules —the U.S. Chamber’s initial participation in this litigation makes no sense.

transparency rules read like they were cut and pasted from the health insurance industry’s comments. Their complaint asserts the rule’s provisions “threaten to reduce competition, and ultimately raise costs to consumers.” Likewise, in comments to the proposed rule, America’s Health Insurance Plans (AHIP) — the largest health insurer association in the country — asserted “the contemplated disclosures will reduce competition, lead to higher prices, and cause consumer confusion.” Showing further alignment, both the U.S. Chamber’s complaint and AHIP’s comments raised the same constitutional

objections under the Takings Clause and the First Amendment that the PBMs notably never raised.

Clearly, health insurers have the most to lose if this rule takes effect. It’s certainly curious that they did not file a lawsuit, while the U.S. Chamber did file a lawsuit which hewed closely to the health insurers’ legal comments on the proposed rule.

It’s hard to not draw the conclusion that the U.S. Chamber’s health insurer and other health care industry members paid them a good sum of money to lead opposition to the rule. It would not be the first time health insurers paid off the U.S. Chamber to support their interests. As *The Hill* reported in 2012, insurers gave the U.S. Chamber over \$100 million in 2009 and 2010 to fight Obamacare. The big difference here is that the price transparency pay-off directly works against the interests of the rest of the U.S. Chamber’s members. This begs the question: Does the U.S. Chamber still represent American main street businesses?

Looking ahead

Of course, it is highly uncertain how any one judge will view and rule on any legal issue and this is no exception. The U.S. Chamber filed its case in the Eastern District of Texas. The PBMs filed their case in the U.S. District Court of the District of Columbia, certainly a more liberal district than Texas.

The U.S. Chamber and the PBMs likely coordinated where these cases were filed to take advantage of this diversity because price transparency is not a clear conservative or liberal issue. It’s a smart move to put the issue before judges who likely have different legal philosophies.

Filing these cases in differing districts also increases the chance of conflicting opinions, which would help expedite moving the question to the U.S. Supreme Court. Now that the U.S. Chamber dropped their complaint, the PBMs are left to fight on their own in D.C. before the same court that upheld the hospital transparency rule. That was a different rule with a different statutory basis and so the decision to uphold the hospital rule does not telegraph how the court will rule in this case.

Defeating transparency will be difficult

If the PBMs win their case, it will be a serious setback to broad and meaningful price transparency. The machine-readable file requirement may ultimately provide the most helpful information to consumers. These files are standardized so software developers and other innovators can easily aggregate the information to develop tools that helps consumers make educated and actionable pricing comparisons across providers.

Fortunately, if the PBMs are successful, it’s more likely they would only succeed on their challenge to the historical net pricing information for prescription drugs. Their challenge to the entire machine-readable file basically rests on the thin claim that a computer data file cannot be “plain language” for *people* because the file is structured to be read by *computers*. Yet, the rule requires a plain language description for each item and service in the file. The PBMs are effectively asking the court to ignore the role of computer technology in distributing information to the public. That is not likely to be a winning argument.

Even if the PBMs win this case, price transparency will be hard to defeat over the long-term. As noted previously, the courts have already upheld the hospital transparency rule and we’re already seeing preliminary research that reveals how consumers and employers can benefit from this transparency. It will be incredibly hard for the PBMs and other special interests to continue arguing for hidden pricing when more and more hospital pricing information comes to light.

Moreover, the health plan transparency rule has the backing of both the prior and the present presidential administrations. Even if the courts vacate the rule, there will likely remain avenues to accomplish the same goal in future rulemaking or lawmaking. The status quo is not working across America’s health care system and the public’s patience is wearing thin. Thanks to these new federal rules, the public interest now has the advantage over special interests. ★

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BRIEFING
PREVIEW



The 'Weirdest Election of our Lifetimes'

American Experiment's John Hinderaker interviews journalist Mollie Hemingway about the irregularities of the 2020 election.

Mollie, when did you decide to write a book about the 2020 election?

Shortly after the 2020 election. I knew almost immediately that there was something weird about how the leftist media would not let anyone talk openly about what was the most controversial election of our lifetimes. And it kept bothering me, so I knew I had to do a deep dive into the 2020 election. I wanted to look at how our corporate media had moved from mere bias into outright and dangerous propaganda; how they worked with tech companies to suppress really important news stories that were relevant to the voters. I had seen how election laws and election processes were changed throughout the country, sometimes by legislatures, which should be according to our Constitution, and sometimes not. And I wanted to look at the way the courts handled disputes about elections. I knew the issue wasn't going away and I needed to research it and write about it.

The title of your book is *Rigged: How the Media, Big Tech and the Democrats Seized our Elections*. What were the key issues that emerged in connection with the 2020 election?

Take the media first. I've been disturbed by how the media have become more out-front in their propaganda, which I think is dangerous. During the Trump administration, the media pushed a dangerous and delusional conspiracy theory that Donald Trump was a traitor who had colluded with Russia to steal the 2016 election. And I saw how awful that was for the country and how it was weaponized by our law enforcement.

I think in 2020, the media would do whatever it took to keep Donald Trump from being reelected. That's not journalism. It's advocacy; it's dangerous

propaganda. We saw how they covered the Coronavirus. In the eyes of the media, it was Donald Trump's fault. Now, when things are actually quite bad under Biden, they don't blame him for anything. And they elevate news stories that help Biden. They basically ran the Biden campaign for him. They allowed him to stay in his home in Delaware while they pushed his messages, asked him gentle questions, and attacked his opponent. They kept him out of the limelight so that he wouldn't be as disliked as he has become.

One fundamental thing they did was conceal that the man suffers from dementia and is in no shape to be president. That should have been a major story, shouldn't it?

I'm not a doctor. I don't know what his particular health situation is, but he's clearly an older individual. All of us will probably experience some decline if we are blessed to make it to his age. That would have been reasonable to cover for journalists. They made up ailments for Trump that they covered hysterically for years, but here you have an actual thing that everybody's witnessing, and nobody was allowed to talk about it. I will say that the media used to make fun of Biden as a bumbling speaker, but now that he has deteriorated, they try to contextualize what he's saying. I recently saw a media report say, "here's what Biden said." And

then, "here's what he probably meant to say." This is not the treatment that you will see for a Republican politician.

The title of your book mentions big tech as well. What did you conclude there?

That is such an important part of how elections are rigged in this country. The major tech companies have control over what information people get, and they



Hemingway recently published *Rigged: How the Media, Big Tech and the Democrats Seized our Elections*.



Mollie Ziegler Hemingway is a senior editor at *The Federalist* and a senior journalism fellow at Hillsdale College. A Fox News contributor, she is a regular member of the Fox News All-Stars panel on "Special Report with Bret Baier." Her work has appeared in the *Wall Street Journal*, *USA Today*, the *Los Angeles Times*, the *Guardian*, the *Washington Post*, CNN, *National Review*, GetReligion, Ricochet, *Christianity Today*, *Federal Times*, *Radio & Records*, and many other publications. Mollie was a 2004 recipient of a Phillips Foundation Journalism Fellowship, a 2014 Lincoln Fellow of the Claremont Institute, and a 2021 recipient of the Bradley Prize. She is the co-author of the book *Justice on Trial: The Kavanaugh Confirmation and the Future of the Court*.

set algorithms. They're staffed almost exclusively by leftist employees, the kind that are really on the fringe. They set algorithms to suppress conservative content and elevate leftist content. When people type terms into search engines, they think they're getting an honest result of what's out there on the internet. That is not the case, particularly with Google, where they have complicated algorithms designed to direct people into particular actions based on their response. So they will suppress pro-life content and elevate pro-abortion content. They will suppress Republican candidate content and elevate

leftist content. And we're not even talking about the actual election meddling of Twitter and Facebook, where they came in, and they censored political content from one party and not the other. These things directly affect how people vote. The media and tech colluded together in suppressing the Hunter Biden story. The propaganda press refused to cover any information about the Biden family business, which is, of course, selling access to Biden. People usually don't just give money for nothing in return. The media refused to cover it, and the tech companies suppressed those few media outlets that did cover it.



Michael Candelori / Shutterstock.com

“I think in 2020, the media would do whatever it took to keep Donald Trump from being reelected. That’s not journalism. It’s advocacy; it’s dangerous propaganda.”

You mentioned how election procedures were changed. We’re sensitive to that here in Minnesota because we were one of the states in which there was collusive litigation involving a Democratic Secretary of State that had the effect of eliminating the witness signature requirement on mail-in ballots.

The way you’re supposed to change election laws and procedures is through the legislature. And if they didn’t have control of the legislature sometimes, they would sue a friendly state official and get them to settle in their favor. And they did that in multiple states to water down

election security, maybe it was signature removing or degrading a signature match.

They sued and settled, or they would push through changes to make it easier to vote without any security. And I think it’s important that people remember the history of voting in this country, which has always been a tension between expanding the franchise and decreasing the fraud. This country has a long history of fraud that we have implemented procedures to try to avoid. And so one of the things that we learned over time was the importance of a secret ballot. A lot of what happens with mail-in balloting is removing that secrecy, whether it can be pressure from inside the home or from a union boss or other people in your life. We also had voter rolls that were tightly controlled so that we knew that people weren’t going from one precinct to another to duplicate vote. Now, most people who vote will not break the law, but a determined minority can affect elections significantly. And we learned that a lot of these changes that were pushed through, using the cover of the Coronavirus pandemic, were things that Democratic activists sought for a very long time. And they were finally able to push them through because of this hopefully once-in-a-lifetime situation. But the result is that people do not have confidence in the results of the election.

You write in your book about the way election processes were privatized by the left—how they inserted their own people into the actual conduct of the election. Talk about that a little.

Mark Zuckerberg funneled hundreds of millions of dollars through two left-wing groups that were staffed entirely by far-left activists to “help with the election” because of the pandemic. But that’s not what happened. The funds, in turn, were given to counties and cities with strings attached: They had to fund more leftist groups that would run the ballot, write the ballot, help with harvesting ballots, translating ballots, and finding volunteers. And so, what happened is these far-left activists were embedded into the election system, through the private funding of our election operations. This is the biggest thing that voters need to know about what

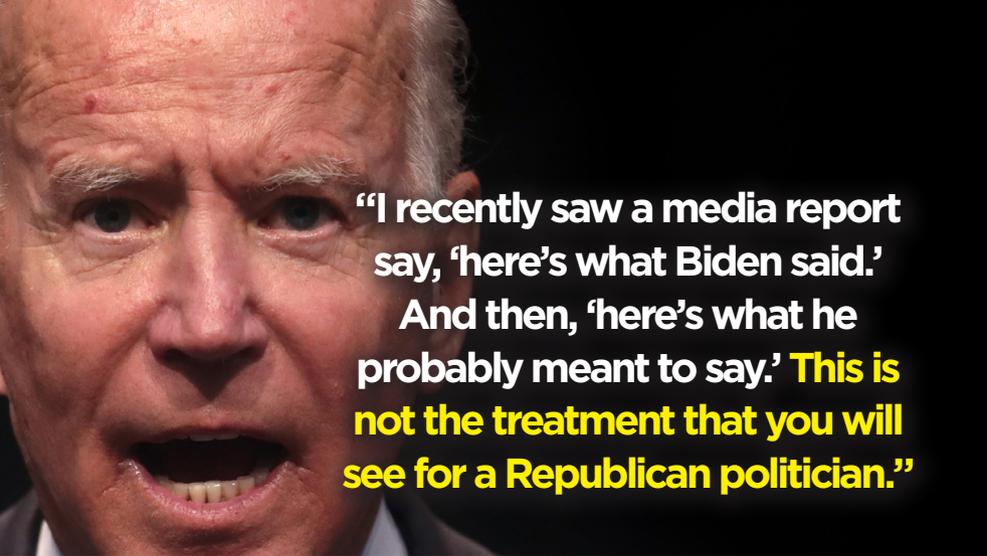
happened in the 2020 election. This was explosive. The more I learned about it, I couldn’t believe how effective this was.

I think most people expect that elections are going to be run in an impartial way that will not favor one party over another. What happened in 2020 is like having the Green Bay Packers hire and pay the referees for a game against the Vikings. And then, no matter how messed up the calls, you can’t contest any of the results because it was fair and square. You cannot have one party privately funding and operating elections.

And they were very smart about where they did it. They like to say that they funded many cities — cities on the left and cities on the right. But what that meant would be that Philadelphia would get \$10 million, and then a Republican county nearby would get \$5,000. This was completely disparate. They were very smart about how they spent their money. They spent a lot of their funds in Georgia, Wisconsin, Pennsylvania, Arizona. These are states that flipped from being Republican states in 2016 to Democrat in 2020. And this is what people need to pay attention to. It is the most important thing that cannot be allowed to happen again. We’ve never run elections this way in our history. People need to realize how it was done so that they can craft legislation to ban it.

In the immediate aftermath of the 2020 election, there was much talk about many thousands of votes for Joe Biden appearing in the middle of the night, and these kinds of things. Did you look into some of those allegations?

I think part of the reason people distrust the results was that they were getting these weird reports about how people stopped counting for the night, but then they didn’t. And then you see these huge spikes in vote totals. The real issue here is that you had multiple places where they claimed they were stopping counting, and they weren’t. I did look into the situation in Atlanta. Fulton County is the largest county in Georgia and is notorious for having problems with election security. Local and national media reported that Fulton county was



“I recently saw a media report say, ‘here’s what Biden said.’ And then, ‘here’s what he probably meant to say.’ This is not the treatment that you will see for a Republican politician.”

stopping counting; the overseers left, and it turned out that they hadn’t stopped counting. And because there was no proper oversight, it’s hard to know what happened during that time.

This also happened in Philadelphia, where overseers were not allowed to be within a good distance from the ballots. In some cases, they were like a football stadium’s length away from seeing what was happening. With so many mail-in ballots, it’s really important that you be able to check whether they are proper or not. If they’re not properly filled out, they’re not supposed to be counted. And if you don’t have independent oversight before the separation of the ballot from the envelope, once again, you cannot have confidence in the results of these elections.

As for electronic voting systems, I think a lot of people have had a problem with them for a long time, but there’s a difference between being susceptible to outside intervention and having evidence of outside intervention. I’m certainly open to hearing arguments to the contrary, but I just don’t see that as being how this was done. You look at how the Democratic party brags about how they won the election, and they don’t talk about it this way. They talk about it in terms of that privatized funding, of controlling news, or controlling tech, or even controlling the riots that took place throughout the country last year. These are things that we all witnessed and observed and are demonstrable facts.

It seems to me we’ve all just gotten accustomed to a sort of looseness in the system, a lack of security and accountability. And it shows up in

things like ballot harvesting, which was kind of a scandal when it first came along, and now it seems like it just gets worse and worse.

Exactly. These drop boxes are either unsupervised or poorly supervised. And the paperwork that is supposed to give you confidence in how they’re supervised is frequently lacking or missing. I don’t think people realize that two commissioners in Fulton county, Georgia refused to certify the election results for the 2016 general election, in part because of concerns over the lack of integrity associated with ballot harvesting. They kept asking for the paperwork that showed that the ballots had been properly transferred, but they weren’t given the paperwork and particularly not given the paperwork in a timely fashion. All of these things are means by which fraud can occur. There is a reason why throughout history, people have understood that mail-in balloting is the primary means by which fraud can occur. It just stands to reason. It’s been determined by bipartisan groups. France banned mail-in voting in the ‘70s because they knew that it was susceptible to fraud.

The more we expand that, particularly without the accompanying protections, the more we’re asking for trouble in so many ways. We don’t keep clean voter rolls. There are millions of people registered in multiple states. Ballot harvesting — what I referenced earlier as one of the problems with getting away from a secret ballot -- brings in an outside party to potentially mishandle your ballot. Or maybe there’s pressure to make sure that you have voted the right way before they will handle your ballot

and turn it in. And polls show that a significant majority of Americans oppose private ballot trafficking. Yet you see it in multiple states.

Are we going to see the same thing in 2022 that we saw in 2020?

2020 was partly because of the unique hatred for one candidate in particular. But the means they used caused, in some cases, permanent changes to the system. And the hatred for Trump gets displaced onto hatred for the next person who stands in the way of the left’s agenda. So these problems will continue until people clean up their voting systems. It’s important that both winners and losers agree with the results of the process. And so it is important that people come to agreement on how our voting should happen. Some states have done a better job than others. I want to point out that Pennsylvania brought in mail-in voting with hardly any scrutiny for how it would affect their process. They did that the year before the 2020 election. Well, now I think they are aware of how changes to election laws and processes can have bad effects. And so I’m glad that people are aware of the importance of election integrity, so they can fight for it going forward. ★



Mollie Hemingway will be the featured speaker at American Experiment’s Fall Briefing, 7-9 PM, Tuesday, October 19, at the The Winery at Sovereign Estate, 9950 North Shore Road. Waconia. Admission is \$125. For more information, contact Kathryn at events@AmericanExperiment.org or (612) 428-7005.



The
THINKING
MINNESOTA
POLL

STICKER SHOCK

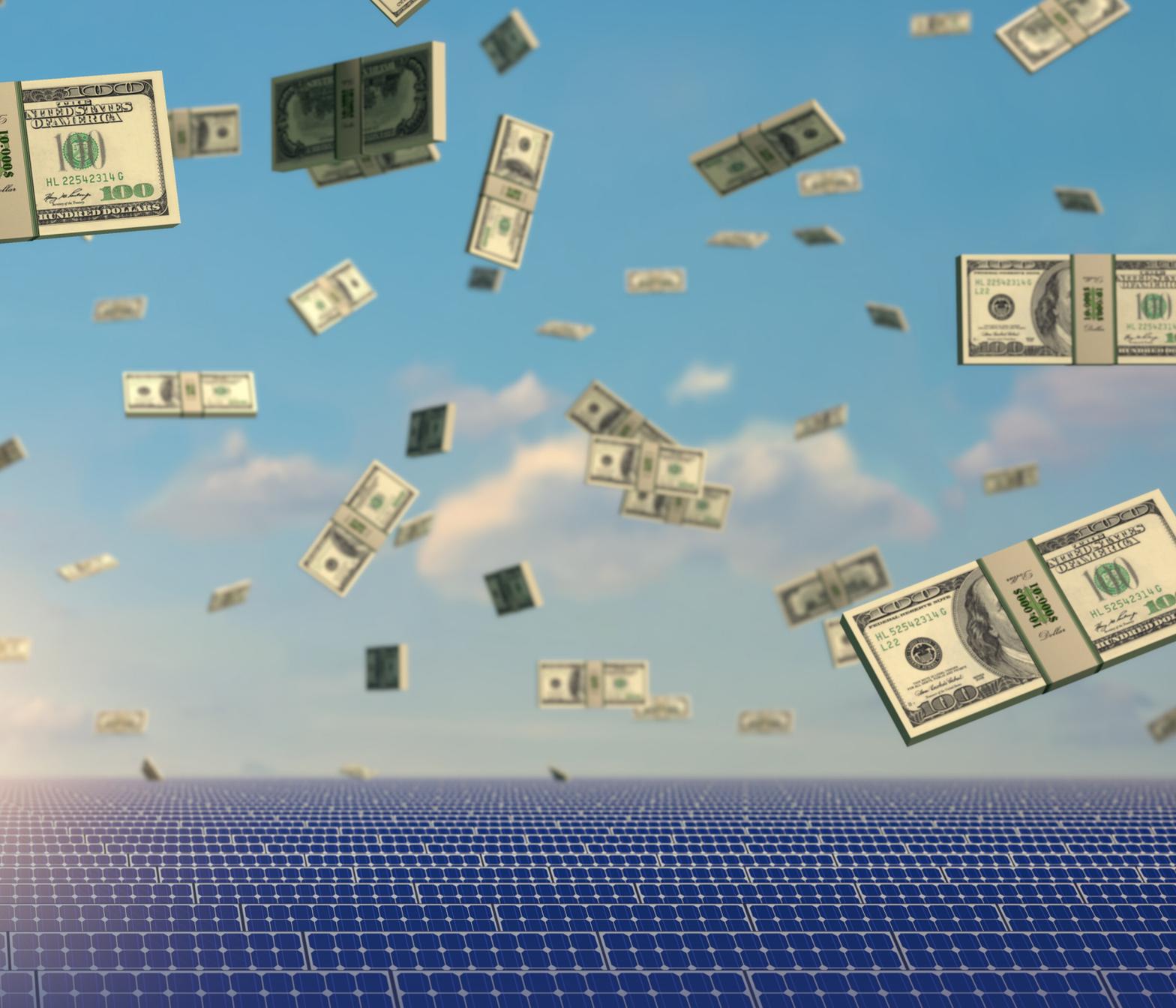
Why Minnesotans will be well-served to **learn the true costs of their favorite energy sources** before forming opinions on renewable energy

The latest *Thinking Minnesota* Poll reveals that Minnesotans love renewable energy sources like wind turbines and solar panels. Unfortunately, the poll also demonstrates there is a wide gap between what Minnesotans believe about renewable energy sources and their knowledge of the true costs involved.

The *Thinking Minnesota* Poll is a quarterly survey conducted for Center of the American Experiment by Meeting Street Insights, a Charleston, South Carolina-based polling company. For this report, Meeting Street interviewed 500 Minnesotans

between August 30 and September 2. It has a margin of error of $\pm 4.38\%$.

Our polling found that once the public learns the real costs of renewable energy solutions, their support for these solutions diminishes drastically. That's because in order to achieve the results promised by lofty sounding proposals such as Tim Walz's "Green New Deal," Minnesotans would have to sacrifice their money, their values, their land and most importantly, their confidence that we won't experience blackouts in the middle of a polar vortex.



The poll started by asking respondents to rank the environmental impacts of different energy sources. Their answers provided a clue about the disconnect between people’s beliefs about energy and the actual facts. While they gave high marks to both solar (67%) and wind (59%), only

About the pollster

Rob Autry, founder of Meeting Street Insights, is one of the nation’s leading pollsters and research strategists.

FIGURE 1: MINNESOTA VOTERS BELIEVE SOLAR AND WIND ARE THE MOST ENVIRONMENTALLY FRIENDLY ENERGY SOURCES.

“Now, I’d like you to rate some energy sources on a scale of one to ten, where one means that source is VERY BAD for the environment and ten means that source is VERY GOOD for the environment. Five means it’s neutral.”

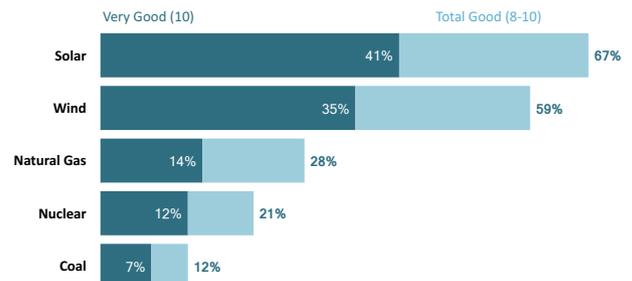


FIGURE 2: A MAJORITY OF VOTERS SUPPORT THE CONSTRUCTION OF NUCLEAR POWER PLANTS.

“Do you SUPPORT or OPPOSE allowing the construction of new nuclear power plants in Minnesota as long as these plants pass a rigorous permitting process, like other types of power plants?”

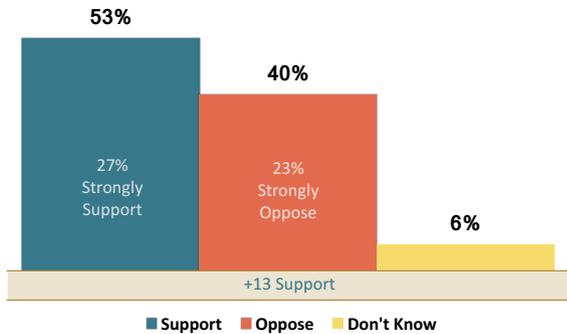


FIGURE 3: NEARLY SIX OUT OF TEN SUPPORT GOVERNOR WALZ’S RENEWABLE ENERGY PLAN.

“Changing topics a bit, do you SUPPORT or OPPOSE Governor Tim Walz’s plan to require one hundred percent of Minnesota’s energy to come from renewable sources such as wind and solar by the year 2040?”

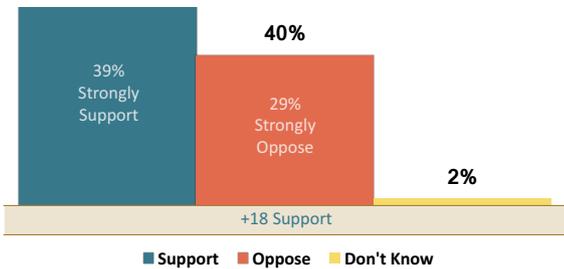
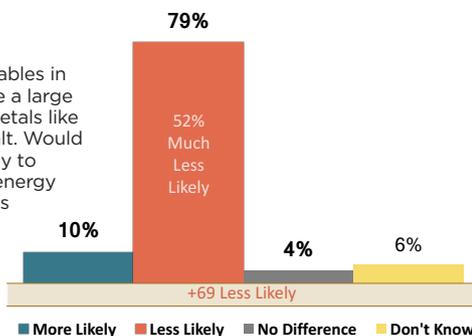


FIGURE 4: OVER HALF OF ALL MINNESOTA VOTERS WOULD BE MUCH LESS LIKELY TO SUPPORT GOVERNOR WALZ’S RENEWABLE MANDATE AFTER LEARNING IT WOULD REQUIRE A LARGE INCREASE IN MINING BY CHILDREN IN THIRD WORLD COUNTRIES.

“A move to 100% renewables in Minnesota would require a large increase in mining for metals like copper, nickel, and cobalt. Would you be more or less likely to support the renewable energy mandate if you knew this mining might be done by children mining in third world countries?”



“We can’t have a true discussion on energy policy **until we first recognize the real costs of each energy source, from construction to decommissioning.**”

— Isaac Orr,
Policy Fellow for Energy and
the Environment at Center of the
American Experiment.

21% of respondents rated nuclear energy as very good for the environment, ranking it just ahead of coal.

In fact, nuclear energy is the cleanest source of energy for the environment, emitting zero carbon dioxide and using far fewer raw materials than other energy sources. Concerns about spent nuclear fuel storage apparently cloud our collective judgment on the safety and environmental benefits of nuclear power.

“Minnesotans need to realize that all human activities impact the environment, whether through manufacturing, mining, or even tourism,” said Isaac Orr, Policy Fellow for Energy and the Environment at American Experiment. “We can’t have a real discussion on energy policy until we first recognize that each energy source has a cost, from construction to decommissioning.”

Ironically, while Minnesotans don’t seem to understand the environmental benefits of nuclear energy, 53% do support the construction of new nuclear power plants in Minnesota, as long as they pass a rigorous permitting process. Doing so would require the legislature to lift the current ban on even considering new nuclear plants.

Walz’s plan to require 100% of Minnesota’s energy to come from carbon-free sources such as wind and solar received initial support from almost 60% of respondents. But that support falls fast when respondents understand some of the true costs of Walz’s plan.

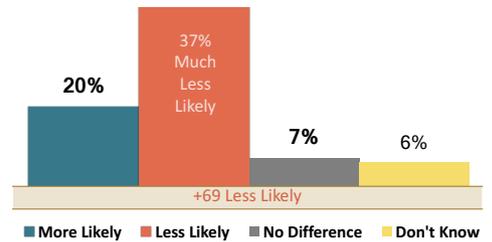
First, Minnesotans (including Walz) have no idea about the amount of metal needed to accomplish his goal of 100% renewables, and more importantly where that metal will ultimately come from. Fully 79% of respondents said they would be less likely to support the plan when they realized most of the metal would come from third world mining operations, often employing child labor.

As Orr outlines in *Thinking Minnesota’s* cover story this month, “decarbonizing” Minnesota would require 4% of the global annual production of copper, 18% of global nickel



FIGURE 5: TWO-THIRDS OF VOTERS WOULD BE LESS LIKELY TO BACK THE GOVERNOR'S PLAN IF IT MAKES US MORE DEPENDENT ON CHINA FOR NEEDED SUPPLIES.

"Would you be more or less likely to support a move to 100% renewables in Minnesota if you knew we are dependent on China for the majority of the metals needed for wind turbines, solar panels, and batteries?"



production, and 164% of global annual cobalt production. Just for our little state!

"We hear a lot about following the science – when it comes to the environment, that means asking the tough questions about the real costs of each source of energy," added John Hinderaker, President of Center of the American Experiment. "These Green New Deal proposals literally fall under their own weight when you properly consider the amount of metal needed to accomplish their goals."

Respondents also reacted negatively when they were told we rely on China for the majority of the metals needed for wind turbines, solar panels and batteries. Sixty-five percent said they would be less likely to support a plan that relied so heavily on China for raw materials.

Support for wind and solar also wanes significantly when respondents consider the threat of blackouts like those experienced in Texas and California recently. Sixty-one percent of Minnesotans dropped their support for renewable energy mandates once they considered the risk of blackouts.

And what about financial cost? How much are Minnesotans willing to spend each year to reduce carbon dioxide emissions? The poll discovered that 80% of Minnesotans would be unwilling to pay more than \$500 per year to support such a plan. Our energy prices have already skyrocketed past the national average just to comply with Gov. Tim Pawlenty's modest 25% renewable mandate enacted in 2007. The cost to Minnesota families for a 100% mandate will vastly exceed \$500 per year.

Someone famously once said you're entitled to your own opinion, but not your own facts. Minnesotans will be well-served to learn the true costs of their favorite energy sources before forming opinions on climate change action. And leaders like Tim Walz need to be challenged about what it will really take to accomplish their feel-good plans to save mother earth. ★

FIGURE 6: SIX OUT OF TEN WOULD BE LESS LIKELY TO SUPPORT THE RENEWABLE MANDATE IF IT INCREASES THE RISK OF BLACKOUTS LIKE THOSE IN CALIFORNIA AND TEXAS.

"Would you be more or less likely to support a move to 100% renewables in Minnesota if it would increase the risk of blackouts, like those experienced in California and Texas?"

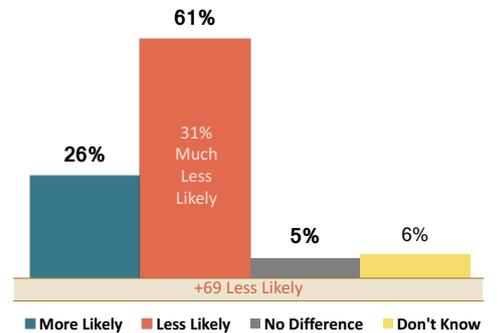
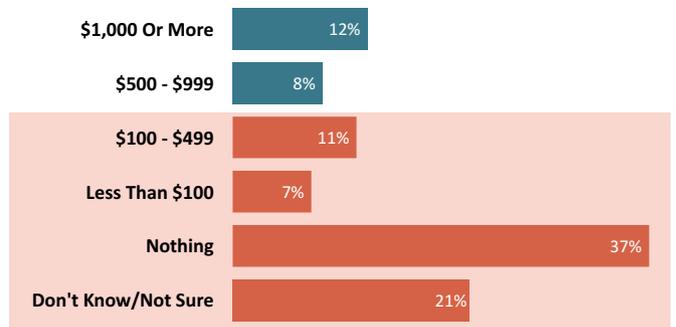


FIGURE 7: EIGHT OUT OF TEN VOTERS ARE UNWILLING TO PAY \$500 OR MORE TO REDUCE THE STATE'S IMPACT ON CLIMATE CHANGE.

"How much would you be willing to pay annually to reduce Minnesota's impact on climate change?"



THE GREAT ESCAPE

IT'S NOT THE WEATHER

Minnesota's high tax burden is the top reason more people leave the state each year than choose to move here. It's a costly problem.



BY JOHN PHELAN

Minnesota's population growth is below average.

In April, Minnesotans breathed a sigh of relief when the 2020 census showed that the state would not lose one of its eight congressional seats. But it was a close run thing: if New York had counted just 89 more people in the census, it would have edged out Minnesota and received the 435th of the 435 House seats.

Minnesota's population growth has long lagged that of the United States. Since the turn of the 21st century, Minnesota has ranked 26th among the fifty states and District of Columbia with population growth of 14.7 percent over this period compared to 16.8 percent for the United States.

Some argue that this is part of broader phenomenon in which people are drawn to the more comfortable climates in the south and west. But that doesn't explain why Minnesota's population growth has also lagged behind South and North Dakota, which grew 18.1 and 19.2 percent respectively.

In fact, a Census Bureau survey of people who moved in 2020 revealed that just 0.4 percent cited "change of climate" as their primary motivation. The most popular choices were "wanted newer/better/larger house or apartment" (14.6 percent), "new job or job transfer" (11.4 percent), and "to establish own household" (10.6 percent). Each relates to employment or housing, which suggests that state government policy in these areas could influence migration decisions, either positively or negatively.

Taxes affect where people locate

Empirical research indicates that a state's comparative tax burdens affect migration decisions. A recent paper cited "growing evidence that taxes can affect the geographic location of people both within and across countries. This migration channel creates another efficiency cost of taxation with which policymakers need to contend when

setting tax policy."

Evidence also suggests that taxes on wealth and capital income drive migration. In particular, a paper by economists Enrico Moretti and Daniel J. Wilson weighs the revenue brought in by state estate taxes against the revenues lost when people leave the state and take future payments of income and sales taxes with them. They find that, while "the [revenue] benefit [of an estate tax] exceeds the cost for the vast majority of states," this was not the case for Minnesota. Ours is one of four states where the costs in terms of lost revenues from other taxes outweigh the benefits in

Some argue that this is part of broader phenomenon in which people are drawn to the more comfortable climates in the south and west. But that doesn't explain why Minnesota's population growth has also lagged behind the South and North Dakota.

terms of estate tax revenues. Those states are the ones with the highest top rates of income tax: Hawaii, Minnesota, Oregon, and Vermont. This echoes the findings of our own study in 2018 and strongly suggests that a state can impose either an estate tax or a high top rate of personal income tax, but it cannot impose both without people leaving and taking their revenues with them.

Minnesota has high taxes

Minnesota's overall tax burden is high. Data show that, at 10.2 percent in 2019, Minnesota had the 6th highest

ratio of state and local sales, property, and individual income tax revenues to Personal Income out of the fifty states and District of Columbia. Our state's tax burden has ranked in the top ten on this measure in every year since at least 2009.

Minnesota's high rates of individual income tax largely drive this high burden. The Tax Foundation says we had the fifth highest rate of state individual income tax in 2021, at 9.85 percent on incomes over \$166,040. Only California, Hawaii, New Jersey, and Oregon have higher rates. Furthermore, for both California and New Jersey, the top rate only kicks in at an income threshold of \$1 million. Notably, Minnesota doesn't just tax "the rich" heavily: our starting rate of personal income tax — 5.35 percent — is higher than the top rate in 23 states.

Minnesota also imposes a high burden in other taxes that drive migration patterns, such as the estate tax. The Tax Foundation reports that ours is one of only twelve states and the District of Columbia to impose an estate tax (a further six impose an inheritance tax, and Maryland imposes both). To compound this, of these 13 jurisdictions, Minnesota's exemption, \$3 million, is lower than in eight. At 13 percent, Minnesota has the second-highest minimum rate of estate tax after Vermont. Minnesota's top rate of estate tax, 16 percent, is the joint second highest.

Minnesota loses residents to other states

Given these two facts — that taxes affect where people locate and that Minnesota has some of the highest taxes in the United States — we should not be surprised that more residents are deciding to leave the state and residents of other states are declining to move here.

Movement of people

Data from both the Census Bureau and the Internal Revenue Service tell us that the net domestic migration of people into Minnesota turned negative in 2002 and remained negative until 2017. That year and the following, our state actually

gained residents on net from other states and some heralded this as a vindication of public policy here. In 2019, however, this inflow dried up as suddenly as it had come: Minnesota lost 965 residents on net according to the Census Bureau and in 2020 the net loss was 9,757, the third largest net loss of residents to other states



Minnesota's loss of domestic migrants poses a two-pronged problem for the state. One is that it will lead to lower rates of per capita economic growth in the future. Another is that it will place increased pressure on state government budgets.

in thirty years.

Comparing the three decades of the 1990s, 2000s, and 2010s, Minnesota experienced a net *gain* of 86,847 people in the 1990s, but net *losses* of 43,962 in the 2000s and 27,569 in the 2010s, according to the Census Bureau. Positive net migration from abroad means that Minnesota still generally sees positive net migration figures overall. But, once in Minnesota, these people can then join the net domestic outflow of migrants.

Net domestic migration is the number of people moving to the state from elsewhere

in the United States minus the number of people moving *from* it to other states. Data suggests that Minnesota's net losses are driven largely by people declining to move here. Both the inflow and outflow reported by the IRS consistently increased through the 1990s. However, in the 2000s the outflow of people leaving Minnesota plateaued while the inflow of people dropped. Thus, the decline in the net number of people moving to Minnesota is primarily due to fewer people moving into Minnesota.

Movement of income

As Minnesota has lost residents to other states, it has also lost income to other states.

Strictly speaking, income does not move; people do. An individual's income may be higher or lower after moving to a new state. Nevertheless, saying that income is "moving" is useful shorthand for saying that the earning power of those households is moving between states.

IRS numbers show that Minnesota began experiencing substantial annual losses in Adjusted Gross Income (AGI) in 1997 — five years before net domestic migration turned negative. This suggests that higher earners, on average, were at the forefront of this. Minnesota has lost income to other states in every year since then. Income losses to domestic migration held somewhat steady between 1996 and 2011, averaging \$514.5 million annually in 2019 dollars. This loss then increased sharply up to 2014, peaking at over \$1 billion, before declining up to 2017 and then rising sharply again in the last two years for which we have data.

Taxes influence migration

Looking at the data on the tax burdens in the states that Minnesota is gaining residents from and losing them to, we see that, as theory and the empirical literature

suggest, these flows are being driven, in part, by our state's high taxes.

Over the last ten years for which we have IRS data (2009-2010 to 2018-2019), the ten main sources of residents moving to Minnesota were Kansas, Indiana, Ohio, Michigan, Nebraska, Wisconsin, New York, North Dakota, Iowa, and Illinois. The ten leading destinations for Minnesota residents were California, South Carolina, Oregon, Georgia, North Carolina, Washington, Colorado, Texas, Arizona, and Florida.

Of course, Illinois (population 12.7 million in 2019) has more people to send to other states than Iowa (population 3.1 million in 2019). To account for this, we can look at the ratio of Minnesota's in-migrants from a particular state to its out-migrants to it. A ratio above 1.0 means that Minnesota gained residents from that state, a ratio below 1.0 means we lost residents to it.

It is striking that five of the seven jurisdictions with tax burdens higher than ours — New Jersey, New York, Vermont, Rhode Island, and Maine — were among the top ten sources of domestic migrants to our state over the period 2009-2010 to 2018-2019, as measured by the ratio of residents moving in to residents moving out. Indeed, a broad look shows that the average tax burden over this period of the top ten sources of migrants to Minnesota was 9.6 percent (the median was 10.0 percent) while the average tax burden of the top ten destinations of domestic migrants from Minnesota was 8.1 percent (the median was 8.2 percent).

The accompanying chart shows the relationship between average tax burdens in other states over the period 2009 to 2018 and the ratio of domestic in-migrants to out-migrants over the period 2009-2010 to 2018-2019. We see a positive relationship between the tax burden in a state and the ratio of in-migrants to out-migrants from that state to Minnesota: in other words, the higher the other state's tax burden the greater, on average, the ratio of in-migrants to out-migrants, and the lower the other state's tax rate the lower the ratio of in-migrants to out-migrants. Put



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more simply, the lower (higher) the tax burden in the other state the greater our migration loss to (gain from) it.

Why this matters

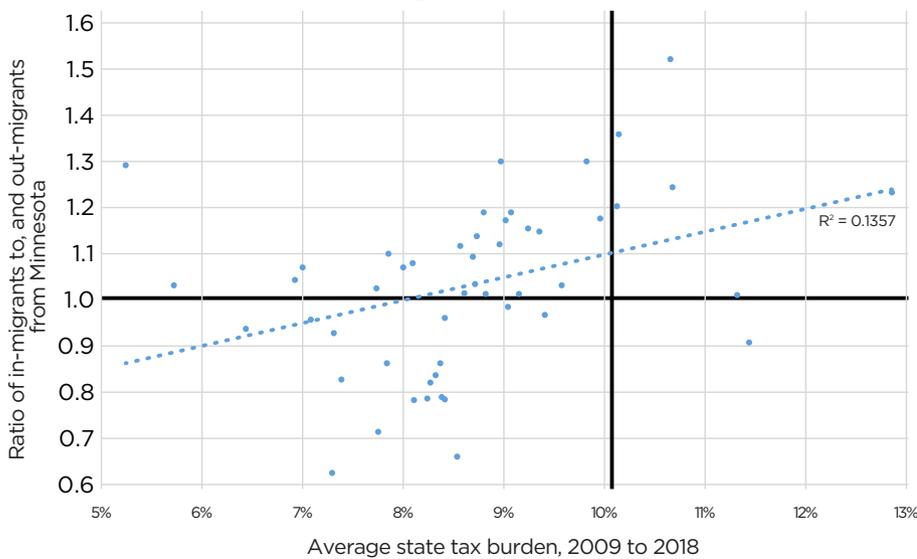
Minnesota's loss of domestic migrants poses a two-pronged problem for the state. One is that it will lead to lower rates of per capita economic growth in the future. Another is that it will place increased pressure on state government budgets.

Per capita economic growth is what

our state it was \$80,684.

From 2011-2012, the IRS has broken down migration data by income of the primary taxpayer and this allows us to see the net flows of domestic migrants into and out of Minnesota by income group. These numbers tell us that our state has seen net inflows of domestic migrants in every income category below \$50,000 annually but net outflows at every income level above that. If we make the standard economic

Tax burdens and Minnesota's net migration rates



Source: Center of the American Experiment

matters for material well-being; it derives from increases in productivity per worker, not more workers *per se*. So a loss of residents need not indicate a decline in per capita GDP and living standards. It all depends on how productive those leaving are. If a worker who is more productive than the average of workers residing in a state leaves that state, that worker will decrease GDP (the numerator in the equation $GDP / population = \text{per capita income}$) by a greater increment than they decrease the population (the denominator) which leads to lower GDP per capita.

Sadly, IRS data show that tax filers leaving Minnesota have consistently had higher incomes than those moving to our state. In 2018-2019, the average AGI per return of Minnesota's in-migrants was \$66,322, for those leaving

assumption that income is driven by productivity, this means that Minnesota has experienced a net loss among its most economically productive residents. This makes no judgment on those in or out migrants except to say that, from the standpoint of per capita economic growth, Minnesota has been losing and/or failing to attract residents who would add relatively more to the numerator of our per capita income equation and gaining those who would add relatively more to the denominator. The result will be lower per capita incomes.

“The rich” pay a disproportionate tax

A second reason to worry about the net outflow of higher earners from Minnesota is that state tax revenues come disproportionately from “the rich.”

IRS Data also allow us to see the net flows of AGI into and out of Minnesota by income of the primary taxpayer for the period from 2011-2012 to 2018-2019. This tells us that the net 5,838 people who moved to Minnesota over this period shown in Figure 13 brought a net gain in AGI of \$11.9 million (an average of \$2,039 per return). Meanwhile, the 18,466 Minnesotans on net with incomes of upwards of \$200,000 who left over this period took with them \$3.8 billion of AGI (\$207,553 per return). A total of \$5.5 billion of AGI left the state between 2011-2012 and 2018-2019, driven by the loss of higher-earning Minnesotans.

The Minnesota Department of Revenue's Tax Incidence Studies show why this could lead to problems for state finances. They break down the share of all income earned in the state and the share of total tax revenue paid by each population decile by household income. In 2018 the bottom 30 percent of Minnesota households by income (who earned 5.8 percent of all income earned in the state) paid no individual income tax: indeed, after tax credits, they were negative contributors to state income tax revenues with an effective state income tax rate of -0.2 percent. By contrast, the top ten percent of Minnesota households by income earned 43.0 percent of all the income earned in the state but paid 59.4 percent of total income tax revenues for an effective state income tax rate of 6.4 percent. For the top 1 percent, the disparity is even greater: they earned 16.5 percent of all income earned in the state but paid 27.1 percent of all income tax revenues for an effective state income tax rate of 7.7 percent. To put it another way, the 27,882 households in the top ten percent of Minnesota households by income paid more state income tax than the 2,230,008 households in the bottom 80 percent of Minnesota households by income. These shares of income earned and tax paid are strikingly stable over time and are little affected by changes in top tax rates.

This is not to elicit sympathy for “the rich,” but it should highlight how state policymakers cannot afford to wish away the evidence of “tax flight” when formulating fiscal policy. ★

OUR GRASS ROOTS

American Experiment cultivates the grass roots.



John Hinderaker

We try to communicate information and conservative ideas to the greatest possible number of Minnesotans.

Most think tanks don't consider themselves to be grass roots organizations. They produce papers for an intended audience of "thought leaders," *i.e.*, politicians, political staffers, journalists, professors and a handful of others. And most policy organizations fundraise pretty much exclusively among the well-heeled.

American Experiment is different. We are very much a grass roots organization. In fact, in 2020 our single largest source of revenue was grass roots contributions. In 2016, the Center received donations from around 2,300 individual Minnesota residents. By 2019 that number had grown to over 5,000, and to nearly 7,000 in 2020. By the end of 2021, we expect to receive contributions from more than 8,000 individual Minnesotans.

Grass roots support isn't only important because it provides us with much-needed revenue. It is also an important measure of how broadly we are influencing Minnesotans. The fact that thousands of ordinary Minnesotans follow our work, and believe in what we are doing to the extent that they are willing to mail us checks or go online to donate, is a key measure of the reach and impact of our organization. And the fact that our grass roots support is growing rapidly signifies that our impact is growing, too.

American Experiment's grass roots orientation is also visible in the outreach that we do. Far from confining ourselves to an allegedly-sophisticated audience of thought leaders, we try to communicate information and conservative ideas to the greatest possible number of Minnesotans—and increasingly, to people in other states as well. We want to change Minnesota's civic culture, and to do that, we need to be communicating with millions of Minnesotans.

When we set out this goal back in 2016, many thought it couldn't be done—but we have shown

what a policy organization dedicated to communicating with the grass roots can achieve. We use all media in our communications—radio, digital ads, television, social media, billboards, our web site AmericanExperiment.org, newspaper op-eds, videos, emails, *Thinking Minnesota*, and so on. We track our communications carefully and very conservatively. Thus, where we don't have exact numbers we take estimates from vendors (Facebook, billboard companies, radio stations, newspapers, etc.) and slash them by up to 90 percent. We want our outreach estimates to be conservative, not exaggerated.

Using our conservative metrics, in the first half of 2021 we got our messages in front of Minnesotans (and to a lesser degree, residents of other states) more than 92,000,000 times. And just for fun, we added up what our outreach would be if we accepted vendors' reach numbers at face value, as nearly all organizations do. The answer? Almost 625,000,000 contacts in the first six months of the year alone.

Of course, it isn't only in our mass communications efforts that the Center prioritizes the grass roots. Equally important, we travel all over the state of Minnesota to bring our common sense conservative messages to Minnesotans. Through September 15 of this year, we have conducted 29 live programs all across the State of Minnesota, attended by thousands of people. From Thief River Falls to Winona, and from Marshall to Hibbing, we show up where Minnesotans live and work.

Then, too, we speak at many events around the state that are hosted by others, and we attend classic Minnesota events like Farmfest, where we handed out short policy papers of interest to farmers and others in the ag industries, but also yellow corn on the cob holders with our logo on them! If that isn't grass roots, what is? ★



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