



FEDERAL RESERVE BANK OF MINNEAPOLIS

Pursuing an economy that works for all of us

March 9, 2021

Mr. Mike Kaszuba
Public Record Media
St. Paul, Minnesota

Delivered Via E-Mail

RE: Request for information from the Federal Reserve Bank of Minneapolis

Dear Mr. Kaszuba:

This is in response to your February 21, 2021 e-mail to Alyssa Augustine requesting information about, among other things, Federal Reserve Bank of Minneapolis (“FRB Mpls”) President Neel Kashkari’s work with regard to the “Page Amendment” and certain matters related to the advisory board of FRB Mpls’s Opportunity and Inclusive Growth Institute (the “OIGI”).

As an initial matter, we note that FRB Mpls is not subject to public records disclosure laws. For example, the federal Freedom of Information Act (“FOIA”) requires that agencies of the federal government make their records available to the public unless the records are specifically exempted. FRB Mpls is not an “agency” as that term is defined in FOIA, and consequently is not subject to its provisions. Similarly, FRB Mpls is not subject to state laws such as the Minnesota Data Practices Act. Notwithstanding, FRB Mpls considers requests for information, and responds within the parameters of its established policies and other relevant authorities.

After careful consideration of your request, FRB Mpls’s response is as follows.

Request: A list of non-Federal Reserve individuals or entities that were consulted during the development of the proposed amendment.

There is a very wide range of individuals that were consulted as part of the development of the proposed amendment. Neel Kashkari maintains a calendar of all of his public interactions, which can be found at <https://www.minneapolisfed.org/about-us/leadership/presidents-schedule>. These interactions reflect that concerns about Minnesota’s severe educational disparities were discussed as early as the first quarter of 2017 and continue to this day. This work follows FRB Mpls’s decades-long interests to advance investment in early childhood development. President Kashkari’s calendar is not reflective of work and consultation done by other Bank researchers and leaders.

A broad and diverse cross section of civic, community, business, education, and elected leaders have registered their support for the constitutional amendment proposal. Just a few are noted here: <https://www.minneapolisfed.org/policy/education-achievement-gaps/statewide-support>.

Request: Copies of any background memoranda or legal analysis produced during this process.

Research and analysis regarding the Page Amendment have been communicated through various conferences, events, and publications. See generally <https://www.minneapolisfed.org/policy/education-achievement-gaps> .

For materials that may be of particular interest, see:

1. <https://www.minneapolisfed.org/policy/education-achievement-gaps/why-a-constitutional-amendment> (Describes the reason for a proposed amendment, proposed language, and the rationale and analysis for each provision). See also: <https://www.minneapolisfed.org/article/2020/a-constitutional-amendment-to-transform-education-in-minnesota>
2. <https://www.minneapolisfed.org/~media/assets/pages/education-achievement-gaps/ed-amendment-explained.pdf?la=en> (A brief explainer reviewing proposed language and rationale)
3. <https://www.minneapolisfed.org/policy/education-achievement-gaps/answering-the-tough-questions-about-the-amendment> (Provides an FAQ reviewing and analyzing questions, particularly those involving legal and other issues).
4. <https://www.minneapolisfed.org/~media/assets/pages/education-achievement-gaps/achievement-gaps-mn-report.pdf?la=en> (Detailed research describing education gaps and large disparities in education in Minnesota). See also op-eds from Justice Page and President Neel Kashkari: <https://www.minneapolisfed.org/article/2019/star-tribune-op-ed-achievement-gaps> and <https://www.minneapolisfed.org/article/2020/neel-kashkari-alan-page-our-push-for-an-education-amendment-has-only-gotten-more-relevant>
5. Former Minnesota Supreme Court Justice Alan Page's February 24, 2021 letter addressing the proposed amendment was submitted to Minnesota legislators and can be found at [2d1ptzdFNkS2eDbNrHEADg.pdf \(state.mn.us\)](https://www.state.mn.us/2d1ptzdFNkS2eDbNrHEADg.pdf).

Requests related to the OIGI Advisory Board and Professor Myron Orfield.

Information regarding the OIGI Advisory Board may be found at <https://www.minneapolisfed.org/institute/about/advisory-board>.

After careful consideration of this matter, we have determined that it would be inappropriate for FRB Mpls to disclose information about specific contracts or communications between FRB Mpls and individual members of the OIGI Advisory Board, in light of, among other things, the legitimate expectations that these Board members have that such materials wouldn't be disclosed without their consent or a compelling business need. Although we cannot provide the information requested above, we note in response to your request, that certain correspondence between President Kashkari and Professor Orfield is publicly available, and can be found at [UNIVERSITY OF MINNESOTA \(state.mn.us\)](https://www.universityofminnesota.edu/).

We can also provide the following general information regarding the OIGI Advisory Board. When the Advisory Board was initially formed in 2017, all members agreed to serve a one-year term. Subsequently, it was determined that staggered term lengths were desirable, to avoid all board terms expiring on the same date. As a result, in 2019, board members signed agreements to serve varying length terms, ranging from one year to three years, depending on the board member's preference and other factors. It is anticipated that this methodology will continue into the future, with some board members rotating off the board at the end of their service period.

Thank you for your interest in the Federal Reserve.

Sincerely,

John E. Yanish

John E. Yanish

Vice President and Deputy General Counsel

c. Alyssa Augustine