



September 23, 2024

Via Email: MNGDPA.gov@state.mn.us

Jake Smith
Deputy General Counsel
Office of the Governor
75 Rev. Dr. Martin Luther King, Jr. Blvd.
Suite 130
St. Paul, MN 55155

Minnesota Government Data Practices Act Request: Tim Walz’s Connections to the People’s Republic of China

Dear Mr. Smith:

America First Legal Foundation is a national, nonprofit organization working to promote the rule of law in the United States, prevent executive overreach, and ensure due process and equal protection for all Americans, all to promote public knowledge and understanding of the law and individual rights guaranteed under the Constitution and laws of the United States. To that end, we file Freedom of Information Act (FOIA) requests on issues of pressing public concern, then disseminate the information we obtain, making documents broadly available to the public, scholars, and the media. Using our editorial skills to turn raw materials into distinct work, we distribute that work to a national audience through traditional and social media platforms. AFL has over 272,000 followers on X, and our Founder and President has over 734,000 followers on X.

I. Background

Recently, questions have emerged over Governor Tim Walz’s extensive, multi-decade ties to the People’s Republic of China (PRC).¹ From 1991 to 2003, Governor Walz operated Educational Travel Adventures, Inc., a for-profit enterprise that organized trips to China for American children.² Questions have also been raised concerning

¹ Lauren Peller et al., *GOP’s Comer Launches Investigation into Walz’s ‘Engagement’ with China*, ABC NEWS (Aug. 16, 2024), <https://perma.cc/U9MN-6ZVM>.

² Victor Nava, *Tim Walz’s China Travel Company was Shut Down After He Failed To Pay a \$26 Tax: Report*, N.Y. POST (Sept. 9, 2024), <https://perma.cc/JWT2-BPLU>.

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the suspicious correlation between one of Governor Walz's trips to China and the disappearance of a top-secret nuclear SOP manual at his National Guard unit.³

The PRC has funded a network of Confucius Institutes on American college campuses as a "soft-power" influence-spreading operation.⁴ The two Confucius Institutes in Minnesota, hosted by the University of Minnesota and St. Cloud State University (SCSU), primarily focused on the PRC's "Confucius Classroom" initiative, which operates in American primary school systems.⁵ While the number of Confucius Institutes began to decline across U.S. campuses since 2019,⁶ the one at SCSU continued to operate well into late 2023.⁷ In 2020, it was estimated that there were 120 remaining institutes, but as of September 2023, the one at SCSU was among the 10 remaining Confucius Institutes in the United States.⁸ The U.S. National Security Agency (NSA) and the Department of Homeland Security (DHS) has designated SCSU's Master of Science in Information Assurance program as a National Center of Academic Excellence in Information Assurance and Cybersecurity.⁹

Further, former senior national security officials have expressed grave concerns that the Hormel Institute at the University of Minnesota is "helping a foreign adversary" by working with Chinese institutions, including the Wuhan Institute of Virology, that "have direct ties to the People's Liberation Army."¹⁰ "China's government kept the Walz-endorsed partnership afloat with annual funding."¹¹

The American people have a right to know if Governor Walz was using his office to further the interests of the PRC and the Chinese Communist Party(CCP), which employs tactics that seek to influence U.S. lawmakers to achieve policies that are

³ Liz Collin & Jenna Gloeb, *EXCLUSIVE: Walz's Former National Guard Colleague Alleges Classified Nuclear Manual Went Missing in Nebraska During his Tenure*, ALPHA NEWS (Sept. 19, 2024), <https://perma.cc/GG4L-ZXWA>.

⁴ THOMAS LUM & HANNAH FISCHER, CONG. RSCH. SERV., IF11180, CONFUCIUS INSTITUTES IN THE U.S.: SELECTED ISSUES (2023), <https://perma.cc/BVU9-T96X>; Bonnie Girard, *The Rise and Fall of Confucius Institutes in the US*, THE DIPLOMAT (Nov. 28, 2023), <https://perma.cc/84KJ-6ZKT> ("a strategic part of China's overseas influence campaign").

⁵ Jackson Walker, *Chinese Government-Backed Programs Active in Several US Public School Districts, Report Finds*, FOX25 (July 26, 2023), <https://perma.cc/8PEC-JA35>; *12 Minnesota Schools Get \$500,000 To Teach Chinese*, MINN. PUB. RADIO (Dec. 9, 2009), <https://perma.cc/A9DL-3XSK>.

⁶ U.S. GOV'T ACCOUNTABILITY OFF., GAO-24-105981, CHINA: WITH NEARLY ALL U.S. CONFUCIUS INSTITUTES CLOSED, SOME SCHOOLS SOUGHT ALTERNATIVE LANGUAGE SUPPORT (2023), <https://perma.cc/TX7D-J35A>.

⁷ *Little Red Classrooms*, PARENTS DEFENDING EDUC. (July 26, 2023), <https://perma.cc/5Y6D-ZSP8>.

⁸ Aleks Phillips, *China May Be Influencing Classrooms in These States*, NEWSWEEK (Sept. 21, 2023), <https://perma.cc/BDJ9-2TJS>.

⁹ Melissa Karns, *A Graduate Information Security Program Built for All*, USA TODAY (Feb. 8, 2024), <https://perma.cc/S8DB-DSAY>.

¹⁰ Gabe Kaminsky, *Tim Walz Promoted Research Facility That Partners with China's Wuhan Lab*, WASH. EXAMINER (Sept. 6, 2024), <https://perma.cc/B663-LM9F>.

¹¹ *Id.*

more favorable to China.¹² Your prompt production of the requested documents will ensure that the American people can know all the facts before they cast their ballots in November.

II. Records Request

Under the Minnesota Government Data Practices Act, MIN. STAT. § 13.01 et. seq., we request the following records:

- All records, communications, or calendar entries that contain the terms “Confucius Institute” or “Confucius Classroom.”
- Any communications with employees of the Ministry of Education of the People’s Republic of China (PRC), the Beijing Genomics Institute, or members of the Chinese Communist Party (CCP).
- All records of communications with a PRC-based email (country code domain “.cn”) or phone number (international area code +86).
- All communications related to China with:
 - St. Cloud State University; and
 - The Hormel Institute at the University of Minnesota
- All communications with:
 - Minnetonka Public Schools
 - St. Cloud Area Schools District
 - White Bear Lake Area Schools
 - Wayzata Public Schools

The timeframe for this request is January 7, 2019, to the date of processing.

III. Custodians

- Tim Walz, Governor
- Chris Schmitter, Chief of Staff

IV. Fee Waiver Request

AFL requests a waiver of all search and duplication fees associated with this request as these records benefit the general welfare. Transparency in government was viewed by the founders of this country as a self-evident good. James Madison, the framer of our Constitution, opined that “a popular Government, without popular information, or the means of acquiring it, is but a Prologue to a Farce or a Tragedy; or, perhaps

¹² *The China Threat*, FBI, <https://perma.cc/PD43-59MY>.

both.”¹³ Americans, including many who call Minnesota “home,” are rightly concerned about the potential influence on their elected officials who achieve policies that are more favorable to China.¹⁴ The public has a right to access the information requested, and your prompt production of it will help the American people gain a greater understanding of whether CCP interests influenced the Office of the Governor.

In this case, AFL will make your records and responses publicly available for the benefit of citizens, scholars, and others. AFL’s analysis and publication of the requested records will enhance the public’s understanding of your policies and practices. As a nonprofit organization, AFL does not have a commercial purpose, and the release of the information requested is not in AFL’s financial interest.

V. Production

If access to the records requested takes longer than expected, please provide information about the extenuating circumstances delaying the response. If any or all parts of this request are denied, please cite each specific exemption you feel justifies the refusal to release the records and provide notification of the appeal procedures available under the law.

To accelerate the release of responsive records, AFL welcomes production on an agreed rolling basis. If possible, please provide responsive records in an electronic format by email. Alternatively, please provide responsive records in native format or in PDF format on a USB drive.

VI. Conclusion

If you have any questions about our request or believe further discussions regarding search and processing would facilitate a more efficient production of records of interest to AFL, then please contact me at FOIA@aflegal.org.

Thank you in advance for your cooperation with this request.

Sincerely,

/s/ Robert A. Crossin

America First Legal Foundation

¹³ Letter from the Hon. James Madison to W.T. Barry (August 4, 1822) (available at <https://tinyurl.com/3yrchmrf>).

¹⁴ See *The China Threat*, FBI, <https://perma.cc/PD43-59MY>.