

Ron Kresha
Representative
District 9B



Minnesota House of Representatives

November 2, 2022

Heather Mueller
Commissioner, Minnesota Department of Education
400 NE Stinson Blvd
Minneapolis, MN 55413

[Via Electronic Delivery: mde.commissioner@state.mn.us](mailto:mde.commissioner@state.mn.us)

Dear Commissioner Mueller,

Over the past several months, we have seen the details emerging relating to the massive federal nutrition program fraud that saw at least \$250 million stolen from taxpayers intended to feed children and vulnerable adults. These details, regrettably, have painted a discouraging portrait of state officials and state agencies bungling attempts to stem the tide of fraud.

After careful review of the many documents related to the Executive Branch's handling of the fraud primarily related to the non-profit Feeding Our Future, we have identified several steps your agency and the Attorney General could have taken to thwart this fraud much earlier. A similar review by the Star Tribune revealed a concurring finding regarding the lack of action by the Attorney General in using his authority to investigate Feeding Our Future.

Of particular concern in the report by the Star Tribune where the Office of the Attorney General defends their inaction by noting that the Minnesota Department of Education failed to request an investigation of Feeding Our Future by the Attorney General. This is very concerning. Based on your testimony to the Senate Education Committee, your agency could see the flags of concern regarding Feeding Our Future as early as July 2020. It has been reported these concerns were shared with the United States Department of Agriculture in October 2020, and finally, given to the Federal Bureau of Investigation in April 2021.

Yet, in those eight months from July 2020 to April 2021, according to the Attorney General, your agency never requested or referred concerns of fraud to his office for him to take possible action. This delay, according to the Star Tribune, costs the taxpayers tens of millions of dollars that your department continued to authorize ultimately financing the fraud.

- Is the Attorney General's Deputy Chief of Staff John Stiles correct that your department never requested an investigation to look into your concerns with Feeding Our Future?
- If that is the case, who at your department made the determination or is otherwise responsible for such a gross oversight?
- In your departments many hours of consultation with the Attorney General regarding the legal battles with Feeding Our Future, did your department never share these flags of concern regarding potential fraud?

Additionally, the article reveals the alarming fact that there was a whistleblower tipping off your agency to fraudulent activity by Aimee Bock before Feeding Our Future was authorized to be a federal nutrition program sponsor. Specifically, the article quotes an email by an unnamed MDE official that she rather not be kept informed. This no doubt had a chilling effect on other potential whistleblowers who could have provided information during the execution of the fraud but understood your department's posture as preferring a veil of ignorance.

- While this action predates your appointment as Commissioner, are you aware of the unnamed MDE official, and is that official still employed with the department?
- What steps have you taken to change the culture of preferred ignorance that exists within your department so that future whistleblowers are confident their concerns are not only welcome, but the agency will act?

This criminal conspiracy not only robbed children and vulnerable adults of funding intended for their benefit, it undermines confidence in the effectiveness of government to be efficient and effective stewards of taxpayer funds. As the criminal investigation continues, we will not know for some time the full extent of these crimes. Yet, it already clear, that inaction within the Executive Branch has resulted in the thefts of tens of millions of dollars that will likely never be recovered.

I appreciate your prompt consideration and response these inquiries.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ron Kresha", with a large, stylized flourish above the name.

Ron Kresha
House Republican Lead, Education Finance Committee
Representative, District 9B