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## **Titans of Real Estate in ‘Shock’ Over New York Rent Law Deal**

Less than a day after newly emboldened Democratic lawmakers announced bills that would significantly tighten tenant protections, prominent real estate developers got Gov. Andrew M. Cuomo on the phone to make a last-ditch plea to persuade him to block the measures.

The developers, including Douglas Durst, Richard LeFrak and William C. Rudin, are involved with some of the most iconic buildings on the New York City skyline, including One World Trade Center and 3 Times Square, and have long wielded major influence in Albany.

They and their counterparts in the real estate industry have donated millions of dollars in campaign contributions to Mr. Cuomo and other state politicians in recent decades.

But on Wednesday, Mr. Cuomo rebuffed the developers, telling them that “they should call their legislators if they want to do something about it,” said a person briefed on the call, which lasted about 15 minutes.

The phone call capped a humiliating moment for an industry that had long reigned in the state capital.

“I’m in shock. I think many of us in my industry are in shock,” said James R. Wacht, president of the firm Lee & Associates and a board member of Real Estate Board of New York, the industry’s leading trade group. “It’s a lot worse than we anticipated.”

The bills [announced on Tuesday night by the Democratic leaders of the State Senate and the Assembly](#) would abolish rules that let building owners deregulate apartments and close loopholes that permit them to raise rents.

The legislation would [directly impact almost one million rent-regulated apartments in New York City](#), which account for more than 40 percent of the city’s rental stock, and allow other municipalities statewide beyond New York City and its suburbs to adopt their own regulations.

*[Read more about how [the new rent regulations in New York](#) would affect tenants and landlords]*

Real estate industry groups said the bills would do serious damage to housing in the city by reducing incentives for landlords to renovate existing apartments and to build affordable new ones.

Existing rent laws expire on Saturday. The rent regulation package, which is expected to be approved before the end of the week, is perhaps the most resonant symbol of the change in power in Albany since Democrats took complete control in November.

Republicans had dominated the State Senate for most of the last century and formed a close alliance with the New York City real estate industry, which donated heavily to Republican senators.

The elections in November not only brought Democrats to power in the State Senate, but also saw the rise of progressive lawmakers who fiercely opposed real estate interests.

“There was some arrogance on the part of the real estate industry that was based on how things have functioned in Albany for a long time,” said State Senator Zellnor Myrie, a Brooklyn Democrat who is a member of the new cohort of progressives. “In the past there was no need for them to truly engage the way that I think would have been necessary this time around.”

Lawmakers, government aides and lobbyists said in interviews on Wednesday that the industry had pinned its hopes on Mr. Cuomo, a Democrat who at times tried to act as a brake on his party’s left wing.

But in the last week of negotiations, Mr. Cuomo distanced himself from the debate. He dismissed requests from the real estate lobby to engage in negotiations with Democratic leaders of the Senate and Assembly, inviting the Legislature instead to pass bills on its own.

When real estate lobbyists called the governor’s office over the last week, they were told by the governor’s aides that Mr. Cuomo had stepped back and that they should speak with legislators instead.

“There is no negotiation,” Mr. Cuomo said on Tuesday before the deal was announced. “I will sign the best bill they can pass.”

Asked on Wednesday whether he had changed his mind, Mr. Cuomo said, “I believe this is the best tenant protections they will pass.”

The developers who reached Mr. Cuomo on the phone on Wednesday declined to comment.

But one person briefed on the call said the developers expressed surprise at the way the governor had handled the rent issue, and voiced concern about the impact the legislation would have on the construction of new housing.

Several people on the call raised the possibility of legal challenges. Mr. Cuomo had no reaction to that, according to the person briefed on the call.

Mr. Cuomo’s spokeswoman, Dani Lever, said, “The governor and staff had a call with real estate and housing people who were concerned that the bill could reduce the number of units in New York. And he said they should raise those concerns to the Legislature.”

The industry had already tried that, having met with lawmakers in Albany over the past few months, presenting them with sophisticated charts that purported to show how the proposed measures would erode the city’s housing stock.

The industry also commissioned an [expensive advertising campaign featuring construction workers](#) who were depicted warning that they could lose their jobs under the new proposals.

After the announcement on Tuesday night, industry officials scrambled to figure out what had gone wrong, blaming a combination of strategic miscalculations, resurgent activism by the progressive left and a new mood of antipathy — in New York and nationally — toward landlords and the wealthy.

And industry leaders seem to have been slow to adapt to the new environment.

From 2010 until last month, a prominent landlord group, the Rent Stabilization Association, donated more than \$800,000 to the campaign committee for State Senate Republicans. In the same time period, the group spent just \$25,000 on State Senate Democrats.

The Real Estate Board of New York similarly favored Republicans. Last year, it spent more than \$1 million on independent campaign expenditures, mostly to back two Republican politicians running for the State Senate — one on Long Island and one in the suburbs north of New York City. Both candidates lost.

This year, as the tenant activists' platform gained traction, landlords did not publicize their own counterproposals, fearful of losing leverage by offering compromises. Instead, industry members relied on their traditional method of private negotiations, trying to talk key lawmakers out of the more dramatic changes in one-on-one meetings.

“The industry held their cards close to the vest, thinking that the consequences of these proposals would be obvious to everyone,” Kathryn S. Wylde, the president of the Partnership for New York City, an influential business group, said.

In the hours since the deal was announced, industry officials have blitzed lawmakers with phone calls in an attempt to contain the damage. They have pored over the bill to single out the most far-reaching provisions, then relayed them to senators from moderate districts, hoping to convince them to vote against the bill.

“The governor and Legislature have a choice,” John H. Banks, president of the Real Estate Board of New York, said in a statement. “They can work collaboratively to change the legislation and pass responsible reforms or pass the bill and worsen the city’s housing crisis.”

Some of the lawmakers seemed to be receptive. Senator James Gaughran, a newly elected Democrat from Long Island, said he was reviewing the bill. “I’m just a little concerned about the unintended consequences of some of this,” he said on Wednesday.

Still, some industry leaders suggested that the governor had failed them.

“We thought the governor would help moderate some of the more ridiculous proposals,” said Jay Martin, the executive director of the Community Housing Improvement Program, a trade association representing about 4,000 building owners. “That did not happen.”

“It seems to be that the democratic socialist wing of the Democratic Party is in full control of the state government,” Mr. Martin added. “I think this is the official declaration of that.”

For tenant activists, the shift of power was a moment years in the making.

“We’re seeing a sea change,” said Jonathan Westin, executive director of New York Communities for Change, an advocacy group that pushed for stronger tenant protections. “Real estate dominated for so long that what we’re seeing is a much broader and more aggressive movement to go out and win on these issues.”

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### **[Report: Catholic Church spent \\$2.9M lobbying against N.Y. sexual abuse bill](#)**

Lawyers for alleged victims of clergy abuse have issued a report spotlighting how the Catholic Church spent \$2.9 million over eight years on lobbyists in New York to stall legislation aimed at making it easier for molestation victims to sue for damages.

The lobbying campaign was waged in connection with the Child Victims Act, which was enacted in Albany last February after New York’s Catholic bishops dropped their opposition to the legislation.

The final version of the statute expanded the spectrum of employers of abusers who could be sued under the legislation.

The new law gives survivors more time to initiate claims against those who sexually abused them and increases the age at which victims are empowered to sue from 23 to 55.

The report examined lobbying expenditures by the Catholic Church in several Northeastern states since 2011. A total of \$10.6 million was spent in the eight states to stall legislation designed to protect victims, according to the report.

The highest sum spent by the Catholic Church on lobbying in a single state in that period came in Pennsylvania, where \$5.3 million was spent. There, a grand jury report released in 2018 found what it called credible accusations of child sexual abuse involving more than 300 priests. The amount spent in New York on lobbying was the second highest total of the eight states, the report said.

According to the report, the Catholic Church increased its lobbying expenses against the interests of victims even as church leaders declared they were taking steps to protect minors and address allegations brought against perpetrators of abuse.

Dennis Poust, spokesman for the New York Catholic Conference, which represents the state's bishops, said the organization routinely reports all of its lobbying activity to the state Joint Commission on Public Ethics, and that information is a matter of public record.

"While we did raise concerns about the one-year look back in the Child Victims Act, the bishops of New York State have long supported reform of the statute of limitations for child sexual abuse," Poust said. "This included efforts to extend the civil statute of limitations prospectively, as well as legislation to completely eliminate the criminal statute of limitations for child sexual abuse and to end the 'notice of claim' loophole which shielded public institutions from liability."

He said when the legislation sponsors amended the Child Victims Act to provide recourse to survivors involving situations with public institutions, such as school districts, the Catholic Conference dropped its opposition.

Under the legislation, the one-year look back period for survivors to bring civil lawsuits against their alleged abusers begins August 14. For criminal cases, the new law extends the statute of limitations for victims to file abuse charges from ages 23 to 28.

Laura Ahearn, a Long Island attorney who has several clients with claims to be brought under the statute, New York courts could end up fielding between 2,000 and 3,000 lawsuits as a result of the look-back provision.

"For many years," Ahearn said, "child sexual abuse was a secret, and there were individuals who were lobbying furiously against a survivor's right to be compensated for the damage that was caused to them by people in positions of trust."

She said the window of time for those aging claims to be heard will allow "survivors to seek justice and closure for the first time since they were victimized."

The lobbying report was commissioned by four law firms. In addition to New York and Pennsylvania, it examined lobbying activities on related matters in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey and Rhode Island.

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### **[Consolidation of military-industrial complex threatens Pentagon's ability to deal, critics say](#)**

The military-industrial complex is riding higher than ever.

Nearly 60 years after President Dwight D. Eisenhower warned of the dangers of a too-close partnership between the Pentagon and defense industry, lawmakers and scholars believe the alliance has reached a new pinnacle of power under President Trump.

This week, Raytheon and United Technologies announced plans to merge and create an aerospace and defense behemoth with \$74 billion in annual revenue. The deal is so massive that even Mr. Trump has expressed concern that it could erode competition.

A day later, the [Defense Department](#) announced a \$34 billion agreement with top contractor [Lockheed Martin](#) to build another round of F-35 fighter jets. It's the single largest defense contract in U.S. history, resetting the bar on how much money a firm can make doing business with the Pentagon.

At the same time, former Boeing executive Patrick M. Shanahan is running the [Defense Department](#) while Mr. Trump and his national security team have made promoting arms exports a central part of U.S. foreign policy. Critics say the acting Pentagon chief's past career blurs the line even further between the military and the companies that supply its arsenals and build its ships.

Taken together, some analysts argue that those developments highlight how the armed forces and their industry partners have stockpiled power and influence to an unprecedented level.

"These huge firms are likely to have more power in bargaining with the Pentagon at the expense of taxpayer interests," said [William Hartung](#), director of the Arms and Security Project at the Center for International Policy. "And they will have more lobbying clout, both because they will have more funds to make campaign contributions and hire lobbyists and because they will have facilities in more states and localities, which will give them additional leverage over key members of Congress.

"Add to this that the nominee for secretary of defense is a former Boeing executive and that the president has been touting U.S. companies relentlessly as he presses for more foreign arms sales, and it is clear that the defense industry's potential influence is on the rise," said [Mr. Hartung](#), author of the book "Prophets of War: [Lockheed Martin](#) and the Making of the Military-Industrial Complex."

Industry leaders dispute that characterization.

Military officials note that Mr. Shanahan was cleared by a Pentagon inspector general's investigation into allegations that he improperly favored Boeing while working inside the [Defense Department](#). They also argue that the Raytheon-United Technologies merger will have little effect on competition because the firms operate on different sides of the defense spectrum.

"They're not competing against each other," retired Air Force Gen. Herbert "Hawk" J. Carlisle, now the president and CEO of the National Defense Industrial Association, told The Washington Times on Wednesday.

"The other worry is that they get so big, they're so powerful, that they can dictate terms in some cases," he said. "And that's always a concern. But you know what? Boeing is huge. [Lockheed Martin](#) is huge. Walmart is huge. Amazon is huge."

The companies make similar arguments and deny that the deal reached this week, which regulators and shareholders still must approve, will have any direct impact on competitive contracts or prices.

“We are complementary, not competitive,” Raytheon CEO Tom Kennedy told CNBC in an interview this week. He said the combined firm is expected to add jobs, not cut them.

In a press release announcing the deal, United Technologies Chairman and CEO Greg Hayes said the new firm “will define the future of aerospace and defense.”

### **Size and leverage**

But Mr. Trump and key lawmakers fear that companies could become so powerful that Congress and other institutions could lose their leverage.

“When I hear United and I hear Raytheon, when I hear they’re merging, does that make it less competitive? It’s already not competitive,” the president told CNBC on the day the deal was announced. “I just want to see competition. They’re two great companies. I love them both. But I want to see that we don’t hurt our competition.”

Despite his reservations, Mr. Trump routinely touts expanding exports markets for U.S. defense companies as a central plank of his foreign policy. In April 2018, the administration announced an overhaul of U.S. arms export policies to speed up approvals of deals and to increase the role of senior government officials to close deals. The policy also gave greater weight to business interests in sales decisions that have long prioritized human rights.

Some Democrats on Capitol Hill have a more philosophical fear.

“I am simultaneously concerned about the increasingly corporate culture at the [Department of Defense](#) and the growing consolidation of the defense industry,” Sen. Richard Blumenthal, Connecticut Democrat, said in an interview. “Both trends could have adverse impacts on innovation, competition and costs, while increasing the potential for private companies to unduly influence national security decisions.”

More broadly, lawmakers long have objected to the increasingly porous line between industry and [Defense Department](#) leadership.

Sen. John McCain raised concerns during Mr. Shanahan’s confirmation hearings two years ago to become assistant secretary of defense, citing his long career at Boeing. “I have to have confidence that the fox is not going to be put back into the henhouse,” said the Arizona Republican, who died in August.

Concerns about the industry’s power certainly are not new. They include shoddy contractors and “merchants of war,” a running theme in conflicts from the Civil War to World War I and World War II.

Some historians say the current path of the industry is reminiscent of the 1990s, when a series of major mergers changed the face of the defense sector. Throughout that decade, the deal that created Northrop Grumman, a merger between Boeing and its former rival McDonnell Douglas and other massive corporate combinations consolidated power in the defense sector and helped create today’s landscape.

There are clear signs that the industry is in the midst of a similar shift. Northrop Grumman last year completed a \$7.8 billion purchase of Orbital ATK, a leading defense and space company.

That merger and the Raytheon-United deal, analysts say, are merely the latest moves in a trajectory that began decades ago.

“What you’re seeing is the culmination of a 30-year trend,” said Michael Brenes, a Yale University historian who has studied the defense industry extensively. “Particularly at the end of the Cold War, you saw these gigantic mergers.”

Even in that post-Cold War environment, however, the government eventually drew a line. Federal regulators in the late 1990s raised antitrust objections to a proposed megadeal between [Lockheed Martin](#) and Northrop Grumman and eventually killed negotiations between the two companies.

Analysts say it’s unlikely that the Trump administration will take similar action.

“In a very narrow antitrust sense, it’s probably less problematic,” [Mr. Hartung](#) said of the Raytheon-United deal. “But my greater concern is having such powerful companies basically running the show in terms of the defense industry.”

Industry leaders say more consolidation isn’t necessarily a bad thing.

“I think the taxpayer ... may be able to get things for a little bit cheaper,” [Gen. Carlisle](#) said. “I think there is more of this on the horizon ... because in many cases it’s smart business.”

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### [Google Axes Lobbyists Amid Growing Government Scrutiny](#)

Google has fired about a half-dozen of its largest lobbying firms as part of a major overhaul of its global government affairs and policy operations amid the prospect of greater government scrutiny of its businesses.

In the past few months, the company has shaken up its roster of lobbying firms, restructured its Washington policy team and lost two senior officials who helped build its influence operation into one of the largest in the nation’s capital, according to people familiar with Google’s Washington strategy. The firms Google has dumped make up about half of the company’s more than \$20 million annual lobbying bill.

People familiar with the matter say the revamp is part of a continuing modernization of the influence operation Google built over the last 15 years, but it comes as Google faces a number of government investigations into its affairs. The Wall Street Journal reported recently that the Justice Department is [gearing up to conduct an antitrust investigation](#) into the tech giant. Congress and states attorneys general are also reviewing Google’s practices, while on the campaign trail, some Democratic presidential candidates are calling for the company to be broken up.

Amid [the increased scrutiny](#), Google, a unit of [Alphabet](#) Inc., is shuffling its ranks of lobbyists and other Washington consultants, according to people familiar with the matter. Among the lobbyists no longer working for the company are Charlie Black, a longtime Republican strategist, and firms that have relationships with senior Republicans and Democrats on Capitol Hill, including Off Hill Strategies LLC, which has ties to fiscally conservative Republicans.

Annual lobbying by GoogleSource: Center for Responsive PoliticsNote: Lobbying since 2015 is for Alphabet Inc.; 2019data is through April 25.

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People familiar with Google’s restructuring say the operation that evolved as the onetime startup expanded had become outmoded after years of rapid global growth. The company overhauled its

policy team to better reflect the global reach of its commercial ambitions and handle potential entanglements with regulators and lawmakers across regions and markets, these people said. The moves are seen as part of a shake-up by Google's new head of policy and government relations, Karan Bhatia, a former senior trade representative in the administration of President George W. Bush and later a top executive at [General Electric Co.](#)

Mr. Bhatia was brought in last summer to serve as Google's vice president of policy and government relations. Over the past year, he has been reassessing Google's influence shop, which has grown to one of the biggest in the corporate world. Late last year, Susan Molinari, a former Republican congresswoman, said she would step down as the head of Google's Washington operations. The company hasn't yet named a successor.

Mr. Bhatia shook up Google's policy department earlier this year by asking some employees to reapply for their own jobs.

One executive leaving Google amid the shake-up is Adam Kovacevich, who ran the firm's public-policy division. Mr. Kovacevich was a central player in Google's efforts to shape perceptions and rules in ways that have been favorable to the business of the search and advertising giant.

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What are the best steps Google can take to head off government probes? Join the conversation below.

Most prominently, Mr. Kovacevich led the company's campaign to head off a high-profile 2012 Federal Trade Commission investigation into whether the company used anticompetitive tactics. He also helped launch a host of advocacy groups to promote public-policy matters that benefited Google.

In 2006, the year before Mr. Kovacevich joined Google, the company spent \$800,000 on lobbying and had four lobbying firms on retainer. In 2018, Google had 100 lobbyists, employed nearly 30 firms, and spent \$21.7 million to lobby Washington, making it the largest spender on lobbying among U.S. corporations, according to public lobbying filings compiled by the nonpartisan Center for Responsive Politics.

The company spent millions more on donations to think tanks, political entities, universities and other third-party groups that churned out papers, generated data and hosted policy conferences that Google used to help shape the debate on issues such as privacy, net neutrality and self-driving cars.

Meanwhile, Google employees helped the company become one of the largest sources of campaign donations to the Democratic Party and its candidates, including Hillary Clinton and Barack Obama, according to the Center for Responsive Politics. In the 2018 congressional elections, Google's employee-funded PAC donated \$1.9 million to political candidates in both parties, the group's figures show.

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Donations from employees made Google a top source of campaign money for both of Mr. Obama's presidential campaigns, and the company's employees ranked as the leading source of money for Mrs. Clinton's 2016 presidential bid. Employees of the company donated a total of \$1.6 million to Mrs. Clinton's campaign, the center found.

After Mr. Obama took office, Google and its Washington lobbying team scored a string of victories. Most significantly, Mr. Obama's FTC, which is technically an independent agency, [declined to pursue an antitrust case](#) against Google in 2013 after a lengthy investigation. Google also won favorable net-neutrality rules from the Federal Communications Commission, headed off federal privacy regulations in Congress and secured a friendly ruling on self-driving vehicles from highway-safety regulators, among other matters.

But in the past few years, Google has run into headwinds from both Republicans and Democrats, while its public image took a beating over privacy concerns and what critics say is its failure to police content on its platform, particularly as it related to the 2016 election.

The new structure has regional leaders covering the U.S. and Canada, Asia and the Pacific, Europe, and countries the company views as its emerging markets.

The new arrangement also includes policy teams that will continue to lobby governments on critical areas for the company, including privacy and handling controversial content on its platforms.

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### **[Saga of Missouri Title IX bills shows sway of lobbyists, dark money in state government](#)**

It all seemed to be coming together for Richard McIntosh.

“Another tactical nuke into the Death Star,” he wrote in a celebratory mid-March email to several lawmakers after what looked like a big win.

For nearly a year, the veteran statehouse lobbyist had been leading a legislative push to transform the laws governing how Missouri colleges approach cases of sexual assault and harassment.

McIntosh's goal: to shift the balance of rights and protections away from the accuser and toward the accused in the system called Title IX, which bars discrimination in higher education on the basis of sex.

But this was more than another lobbying job for McIntosh. It was a personal crusade. What few knew at the time was that his son was in the process of being accused and ultimately expelled from Washington University in St. Louis for Title IX violations.

McIntosh and his wife, state administrative hearing commissioner Audrey Hanson McIntosh, worked with legislative staff to write House and Senate versions of the bills. He founded a “dark money” nonprofit to pour money into the mission. He ultimately won over a number of influential Republican lawmakers to his cause.

Then McIntosh scored what looked like a decisive victory. The then-president of the St. Louis NAACP came out in support, arguing that Title IX disproportionately punished African American men.

McIntosh celebrated the news, believing it could weaken vehement opposition from Missouri universities.

In fact, cracks were already forming in the foundation of his campaign. By end of April, the bills were dead, his son's situation public knowledge.

The rise and fall of McIntosh's Title IX bill provides a rare look at the unseen forces that often drive the legislative process in Jefferson City.

Unelected lobbyists like McIntosh often serve as a de facto legislative drafting service, writing bills for lawmakers whose institutional knowledge is diminished by term limits. Dark money flows into the Capitol, the public usually unaware of its source as it skews the direction of an issue. While there are hearings and floor debates on bills, the real action is often behind the scenes and out of view.

“It’s really disturbing that someone with access and money and power can drive a bill this far in the process,” said Sen. Lauren Arthur, D-Kansas City. “I think it can feel pretty frustrating for people back home who have things that they’d like to see get done that would actually benefit their everyday lives. But a lot of those things get pushed to the bottom of the list because it doesn’t have that kind of special interest behind it.”

The story of the attempted changes to Title IX — based on interviews with lawmakers, lobbyists and activists on both sides of the issue, as well as a review of more than 1,000 pages of emails and documents obtained by The Star — provides a rare glimpse into that murky legislative process.

It would not have been possible in years past, and could easily become impossible again.

Many records were only available because of the voter-approved constitutional amendment last year requiring lawmakers to abide by Missouri’s Sunshine Law. A Republican-led effort to remove that mandate passed the House but then fell short in the Senate.

#### **AMENDMENT FROM NOWHERE**

It all began last spring, during what would be the last semester at Washington University for the McIntoshes’ son.

Richard McIntosh, a 1987 graduate of Southeast Missouri State, [came up through Missouri government](#) in the 1990s, first as a state Senate staffer, then in Attorney General Jay Nixon’s office, and finally as chief of staff for the Democratic leader of the Missouri House.

He left to become a lobbyist in 1996, with a focus on state budgeting and contracting. His firm, Flotron & McIntosh, (a partnership with former Republican state Sen. Franc Flotron) employs eight lobbyists. It represents clients ranging from Corizon Health, which provides health care to Missouri prisoners, to World Wide Technology, which until recently held the lucrative IT procurement contract with the state.

McIntosh has one higher education client: [Lincoln University](#) in Jefferson City. Like all other college and universities in Missouri, it opposed his Title IX bills.

They first emerged on April 25, 2018 as an amendment, seemingly out of nowhere, dropped into an unrelated piece of legislation by two House Republicans. Shamed Dogan and Peggy McGaugh have said they believe accused students on campus are treated unfairly under current standards. Their amendment would have added requirements for Title IX hearings to function more like criminal trials.

The measure was not as detailed as the fully-formed legislation rolled out earlier this year. But it still called for appeals of Title IX cases to go to the Administrative Hearing Commission, a panel that addresses disputes with state agencies. The [presiding and managing commissioner](#) is McIntosh’s wife, Audrey Hanson McIntosh.

The higher education community eventually got the amendment stripped from the bill. But advocates remained puzzled about its origins.

One lobbyist said Dogan and McGaugh appeared to just be floating the amendment to test the waters, backing off after seeing the opposition. The situation became clearer in early June, when the two lawmakers sent college and university higher education lobbyists a letter laying out their argument in favor of changes to Title IX.

McIntosh, who was blind copied on the email, accidentally hit “reply all” when he thanked Dogan and McGaugh for their work, revealing his involvement.

The higher education community knew then the fight over Title IX had just begun.

### **‘LET’S GO CHANGE HISTORY!’**

In August 2018, McIntosh started a 501(c)(4) nonprofit called Kingdom Principles to raise funds for the fight. Such groups are known as “dark money” operations because they don’t have to disclose the names of donors. Kingdom Principles would eventually hire 29 lobbyists and several spokespersons, as well as pay for advertising — all to make the case for the Title IX bills.

The Star would later confirm that St. Louis billionaire David Steward, a longtime client of Richard McIntosh and a trustee at Washington University, was a source of at least some of the money.

For months, Kingdom Principles made no hires and avoided committing itself to any causes in Jefferson City.

Toward the end of October 2018, McIntosh met with state Rep. Dean Dohrman, R-La Monte, a friend who would sponsor the House version of the bill. McIntosh followed up with Dohrman and his staff by sending a series of articles decrying what he called a lack of due process for those accused of sexual assault on campus.

One article, titled “5 Signs You’re in the Midst of a Moral Panic,” equated the uprising against sexual harassment and the growth of the #MeToo movement with the Salem Witch Trials and the Satanic Panic of the 1980s and ‘90s.

Part of McIntosh’s lobbying pitch was sending articles describing the threat of sexual harassment or assault as overblown: “The Rape ‘Epidemic’ Doesn’t Actually Exist,” and “The Campus Rape Myth, The Reality: bogus statistics, feminist victimology, and university-approved sex toys.”

For the next month, the McIntoshes and Dohrman’s legislative staff worked together to write the bill.

They exchanged drafts, with both McIntosh and his wife outlining provisions they wanted included. The bill was crafted such that the expulsion of McIntosh’s son could have been retroactively appealed to the board of commissioners that his mother presided over.

In an email to Dohrman last fall, a nonpartisan legislative analyst assisting with the bill said, “You should be aware that significant legal concerns are likely to be raised regarding this legislation.”

Dohrman said he didn’t involve himself in the details of the bill’s drafting.

“I put in some input here and there, of course, but that’s a complicated matter and I thought it was best for me to hear it out through the whole process before I put in my two cents, if you will,” he said. “It wasn’t a blind acceptance on my part.”

“When I get a bill that’s extremely complicated I kind of let the person work it out,” Dohrman told The Star in recent interview. “You know, and we had (legislative research) involved, and I was there of course. I just kind of let it work out to see where it went.”

Dohrman said that McIntosh’s involvement shouldn’t lead people to believe lobbyists write all laws.

“A lot of people come with a lot of ideas. I talk to constituents, they may mention something to me, I look into it. There’s some reason the law is the way it is. We can or can’t proceed with their suggestion,” Dohrman told The Star. “Lobbyists, of course, that’s their job, and they’re there more often, but it’s an open process, as it should be.”

On Dec. 11, 2018, McIntosh, Dohrman and staff were finished and ready to formally introduce the bill when lawmakers returned to the Capitol for the 2019 session.

“Let’s go change history!” McIntosh wrote.

### **‘REQUEST FROM SENATOR ROMINE’S OFFICE’**

McIntosh worked with both the House and Senate to draft the bills, and went on to lead the well-organized, funded and coordinated push for the measures.

“I knew that it was going to be a significant fight when the Senate education chair and the Higher Education chair in the House both filed it as standalone bills,” said Rep. Kip Kendrick, D-Columbia, who opposed the bills.

Emails show that McIntosh dictated strategy to lawmakers, sometimes even speaking on their behalf.

Before the mid-February hearing in the Senate Education Committee, chaired by state Sen. Gary Romine, the bill’s sponsor, McIntosh told witnesses the order in which he wanted them to testify. He also emailed Sen. Cindy O’Laughlin, R-Shelbina, with a “request from Senator Romine’s office.”

“They asked if you would help address with questions or comments that the 1-in-5 women raped on campus is a false narrative and false statistic,” McIntosh wrote to O’Laughlin. He was referencing a 2007 statistic drawn from federal data that has often been cited by advocates against campus sexual violence.

“Also, a couple of shots at the rape equals regret wouldn’t hurt.”

At the hearing, O’Laughlin appeared to follow the script, saying that the accused are “basically discriminated against” in Title IX hearings.

“What’s to stop someone, and I would assume this does happen sometimes, from having a one-night relationship with someone and then the next day you kind of regret it, and so then the next thing you know you say, ‘Well, I didn’t really, it wasn’t consensual’ — I mean, I wonder if that happens,” she said.

The day after the hearing, McIntosh wrote out a lengthy list of questions to be sent to each Missouri Title IX administrator. At the bottom of the list, McIntosh wrote, “Sincerely, Gary Romine.”

The suggested questions were sent from McIntosh to the personal email of a Romine staffer, who then forwarded them to the lawmaker’s government email account.

Romine had told The Star and other media outlets previously that his office drafted the legislation “without outside assistance,” but he confirmed recently that his staff “used (McIntosh) as a resource.”

Emails show that McIntosh pushed Romine — usually using the personal address of a member of his staff — to amend his bill to include retroactivity. McIntosh framed this as the only way students expelled from school for sexual discrimination could get justice without paying to go to federal court.

Romine didn’t include retroactivity in his original version of the bill and never added it.

He also said he never told McIntosh to write letters or contact other senators on his behalf.

His committee approved the bill a week after the hearing.

### **SLOWING MOMENTUM**

In the House, things didn’t start out so smoothly.

House Speaker Elijah Haahr, R-Springfield, decided against sending the bill to the higher education committee, chaired by Dorhman, the legislation’s sponsor, opting instead for the judiciary committee.

The speaker’s public explanation was that the bill dealt with a complicated legal issue that the judiciary committee — made up almost entirely of attorneys — was better equipped to handle. But lobbyists on both sides of the issue believe Haahr was trying to slow down the controversial bill’s momentum by avoiding Dorhman’s committee.

Regardless of his motivations, Haahr’s decision did slow the bill’s momentum, and the bill didn’t end up winning approval until a paired-down version was passed through the Judiciary Committee on March 12.

But even with the delay in the House, many lawmakers were signaling support, including the 40-member House Conservative Caucus. McIntosh’s nonprofit was spending money on ads and messaging, and a massive lobbying team was swarming the building to whip votes.

On March 15, John Gaskin, then-president of the St. Louis County NAACP, issued his statement supporting the Title IX bills and defending Steward’s support of them.

Opponents despaired that they’d be able to stop the bills.

“It was a difficult time period for me. I wasn’t sleeping at night at that time period. I almost became defeatist,” Kendrick said. “There was a time period where I thought for sure it was going to pass just by the sheer amount of money and influence and power that was behind it.”

The Gaskin letter marked the high point of McIntosh’s efforts.

### **‘NICE SOUND-BITE’**

Throughout the 2019 session, rumors about McIntosh having a personal stake in the legislation swirled around the Capitol, although very few knew for sure.

Lobbyists on his team faced questions from lawmakers about whether someone in McIntosh’s family stood to gain from the bill. Some of those lobbyists told The Star they felt unequipped to answer because McIntosh kept them largely in the dark about his son.

Behind the scenes, McIntosh avoided directly addressing his son’s expulsion from Washington University. But emails with Republican lawmakers and staff reveal an obsession and disdain for the St. Louis school.

In one message, he forwarded a letter from a vice chancellor critical of the bills.

“Nice sound-bite,” he wrote, “but what she is really saying is leave us alone to design a system that fits our liberal agenda.”

McIntosh sent lawmakers anonymous accounts, published in the student newspaper, of alleged sexual assaults that decried the school’s Title IX process as too burdensome for victims. He questioned the credibility of those allegations, citing a school survey on sexual violence at sororities. “ONLY 6 percent said they were physically forced; ONLY 2 percent said they were drugged,” he wrote.

McIntosh also tied Washington University to Planned Parenthood and abortion — the organization operates the state’s only abortion clinic, located in St. Louis — in an attempt to appeal to conservative lawmakers.

“Please let the senator know that Planned Parenthood testified against the bill in the House last night. Not sure why but they did. So we must be on the right track,” he said to a member of Romine’s staff.

But when the bill won committee approval in the House in mid-March, Haahr never placed it on the calendar that would have allowed the full chamber to take it up for debate. That halted the House bill’s momentum completely.

Across the Capitol in the Senate, the bill was brought up for debate and greeted with a Democratic filibuster — another steep hurdle proponents of the bill were not convinced they could overcome.

While shaken, supporters were still hopeful they could get some version of it to the governor’s desk. They began looking for other bills still under active consideration where a Title IX amendment might fit.

But the final blow came April 25th, a week after the Senate filibuster, when The Star published a story confirming the expulsion of McIntosh’s son.

Reaction was explosive.

The chances for passage were over. Gaskin, the NAACP official who endorsed the bills, was fired for doing so without permission from the national NAACP. Some lawmakers expressed concern over how close the measures came to becoming law.

“Bills don’t move that fast under normal circumstances. It takes years to do an overhaul like that. And we were going to do it in just one legislative session because we had a motivated lobbyist who seemed to have pretty good access across the board?” said Rep. Mark Ellebrecht, D-Liberty. “That in itself should raise a lot of eyebrows and I’d like to know just exactly how and why that is happening, and how that came to pass.”

“I assumed that there was more to the story than the public policy arguments being made, but I did not understand or appreciate the full extent to which this was a bill that was being driven through such self-serving motivations,” said Sen. Arthur. “I was pretty disgusted by it.”

House Speaker Haahr told The Star the bill would not be placed on the calendar, and Senate Majority Leader Caleb Rowden, R-Columbia, declared the Senate bill as likely dead for the session, too.

“At the end of the day, I think it’s unfortunate that something of this magnitude that maybe should require attention was brought about in this way,” Rowden said at a press conference after The Star’s story.

### **‘OUR BEST ALLY’**

Supporters said McIntosh’s damaging personal ties to the legislation shouldn’t preclude future attempts to rework the Title IX process in Missouri.

“The fundamental question I ask myself is: Do I support due process? Its in our constitution twice. Fifth Amendment and 14th Amendment,” Dohrman said. “If a person is accused of something, they get to tell their side of the story. That’s really all I’m asking for.”

U.S. Secretary of Education Betsy DeVos is in the process of drafting new requirements for campus Title IX processes at the federal level, a lobbyist noted, so “hopefully that alleviates some of the need for legislation in Missouri.”

Many interviewed for this story said the fate of the bills may have been different without McIntosh’s personal drama.

In the end, one opposing lobbyist said: “Richard was our best ally.”

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### **Ethics panel signs off on Gillum settlement**

A state ethics panel Friday approved a \$5,000 fine for former Democratic gubernatorial candidate Andrew Gillum despite some concerns a settlement wasn’t tough enough or that he has claimed vindication in a probe into his actions while serving as Tallahassee mayor.

The seven-member Florida Commission on Ethics, in a voice vote, accepted the settlement, which included dropping four of five charges of ethics violations. The probe involved trips Gillum took to Costa Rica and New York, a boat ride around the Statue of Liberty and a ticket to the Broadway hit, “Hamilton.”

Barry Richard, an attorney for Gillum, said he agreed to the single charge, which Richard said revolved around the boat trip. Richard said the trip may not have exceeded a \$100 limit on gifts from lobbyists but violated Gillum’s “code of conduct.”

“This was vigorously litigated with the state’s lawyers,” Richard said after the commission hearing. “The reason that the fine was what it was, is because they didn’t feel like their case was that strong and they were not prepared to go to trial on it. That’s how settlements happen.”

But Commissioner Kimberly Rezanka, a Republican from Cocoa, noted that similar settlements drew higher fines and public censures in the past.

Also, Commissioner Joanne Leznoff, a Republican from Tallahassee, acknowledged that it is difficult to prove Gillum engaged in any “quid pro quo,” but she was concerned Gillum didn’t enter into the settlement “in good faith.”

“I believe that because on the day of the settlement, he issued a statement that he has been vindicated, that he did not knowingly violate state ethics laws, where he had just that day admitted that he had,” said Leznoff, who joined Rezanka in voting against the settlement.

When the settlement was announced in mid-April, Gillum issued a statement describing the end of the case as “vindication. The results confirm what I’ve said all along --- the facts matter and I never knowingly violated any ethics laws.”

Richard said Friday that Gillum’s vindication statement reflects the settlement.

“I think when you’re charged with five things, most of which are very serious, and the state drops four of them, and the only one left is not very serious, I would consider that a vindication,” Richard said.

Elizabeth Miller, an attorney who negotiated the settlement in her role as advocate for the ethics commission, told the panel Friday there was “insufficient evidence” to pursue all the allegations and described the negotiations as “intense.”

The settlement was reached just before the case was set to go before an administrative law judge.

In January, the ethics commission unanimously found probable cause that Gillum, as Tallahassee mayor, violated ethics laws for allegedly accepting gifts from Tallahassee entrepreneur Adam Corey and undercover FBI agents posing as developers. Corey had been a close friend of Gillum and lobbied city officials.

The commission found probable cause that Gillum accepted gifts with a value of more than \$100 from a lobbyist or vendor of the city and failed to report the gifts.

The accusations against Gillum became a theme for now-Gov. Ron DeSantis during a heated campaign leading to November’s election, in which the Republican narrowly edged out the former mayor. The campaign drew a national spotlight, in part, because of Gillum’s attempt to become the state’s first black governor.

The commission’s acceptance of the settlement came as federal prosecutors appear to be looking at potential “misuse or misreporting” of campaign money tied to the 2018 Democratic gubernatorial nominee.

While the campaign money is unrelated to the ethics case, the Tampa Bay Times has reported that a subpoena has been issued. The full scope of the federal probe remains unclear. Being named in a subpoena does not mean a person is under investigation.

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### **[Tech companies under the microscope also donated to lawmaker campaigns](#)**

On Monday, the chairman of the House Antitrust Subcommittee of the House Judiciary Committee announced it plans to hold hearings to look into digital companies.

“To really see whether these dominant platforms are operating in an environment without real competition and what the impact is on consumers,” said [Rep. David Cicilline, D-R.I.](#)

[The Center for Responsive Politics](#) tracks campaign contributions. It shows many members of the House Judiciary Committee from both sides of the aisle who accepted campaign contributions from companies under the microscope. Specifically, it shows 28 out of 41 members have received contributions.

### **House Judiciary Campaign Contribution List**

To read the full document, [click here](#)

We reached out to many members on this list for comment. We are waiting to hear back from most. We wanted to know if these contributions, ranging from a few thousand to tens of thousands of dollars, would have any bearing on lawmaker objectivity in the hearings.

We have not heard back yet from House Judiciary Committee Chairman [Jerry Nadler](#). When we reached out to [Ranking Member Doug Collins’](#) office, someone who only wanted to be identified as a Republican aide emailed this:

"Campaign contributions will play absolutely no roll in how these hearings are approached." Other members who received smaller donations or none at all from these companies said the same thing.

"Tens of thousands of my constituents in Silicon Valley are employed in technology industries. But I take my responsibility as a Member of Congress seriously. Fairness and facts have guided my decision making in Congress. I intend to continue on that path," Rep. Zoe Lofgren, D-Calif.

"I've gotten contributions from people before that later I had concerns with, not doing what they're supposed to, they just don't contribute after that," said [Rep. Louie Gohmert](#), R-Texas, "certainly won't be a problem for me."

"I don't think if there was a conflict between members who take contributions from big tech companies and having a hearing, we'd be having a hearing," said [Rep. Val Demings](#), D-Fla. "As members of Congress we have a job to do, right? We take contributions from a lot of different individuals, but it does not keep us from doing our job."

"We just have to do our jobs," said [Rep. Jamie Raskin](#), D-Md., "we have to demonstrate that we are asking the hard questions about whether these entities are engaged actively in antitrust violations."

It's not new that these tech companies have been donating money to lawmakers and lobbyists and many have faced pushes for oversight before. Now with more hearings on the horizon, it doesn't look like Congress is slowing down any time soon.