

Does BCRA really work? An investigation into the Re-election of Congresswoman Marcy
Kaptur.

Since her election on November 2, 1982, Congresswoman Marcy Kaptur has served Ohio's District 9, which includes Toledo and the area surrounding Lake Erie from the west extending towards the Cleveland area. Congresswoman Kaptur received a Bachelor of Arts from the University of Wisconsin in 1968 and a Masters in Urban Planning from the University of Michigan in 1974. She currently serves on the Appropriations and Budget committees as well as the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies; the Subcommittee on Defense; and the Subcommittee on Transportation, Housing and Urban Development, and Related Agencies. Congresswoman Kaptur focuses on concerns of agriculture, defense/foreign affairs, energy independence, healthcare, international relations, jobs and the economy, seniors, and trade. In most of her re-election campaigns, Congresswoman Kaptur has been challenged, but with little support. Her candidates have struggled to raise money and with over \$800,000 cash on hand currently, it makes it unlikely a formidable challenger would try to challenge her in 2008.

Describing the makeup of District 9 might help to explain the diverse donations. For years Toledo has been home to Chrysler Jeep, which has housed many UAW jobs. Toledo has been known as a strong union city that supports Democratic candidates. The rest of the district, outside of Toledo, has a different makeup. Much of District 9 is heavily Republican, including the counties of Ottawa, Erie, and Lorain. Much of District 9 is rural and farm country. Manufacturing and agriculture industries dominate District 9, however, the district is also home to two state universities (Bowling Green State University and University of Toledo), which depend on federal research grants; as well as Cedar Point, a major tourist attraction; and many other businesses and country clubs supported by business owners. In spite of the diversity of

District 9, the constituents of Congresswoman Kaptur have both supported her at the polls and supported her through financial contributions.

Dennis Johnson, the President of Brooks Insurance in Toledo, Ohio, and a member of Inverness Country Club (notoriously Republican) in Toledo, was a contributor to Congresswoman Kaptur's campaign for the 2005-2006 election cycle. Mr. Johnson serves on the Maumee Valley Growers committee, which seeks to address issues related to the floriculture industry as well as the loss of family-owned businesses. The Maumee Valley Growers is a group of small independent businesses in the Toledo area that pool their resources together in order to make a bigger difference in the community as a group than they would on their own. Their approach is one of economic development. Different companies that are a part of the Maumee Valley Growers have been pitching ideas that are aimed at being more cost effective for businesses. Mr. Johnson's company, Brooks Insurance, was working on a proposal for liability insurance for local farmers. The perk would be for local farmers to purchase insurance at a lower rate, thereby increasing their own profit. Besides there being members that are growers, there are non-growers that are part of the Maumee Valley Growers as well. Congresswoman Marcy Kaptur is one such member. Congresswoman Kaptur, in the first year the Maumee Valley Growers was assembled, was able to secure \$240,000 from the Department of Agriculture for the Maumee Valley Growers. The following year she brought in \$667,000 for the group.

Arguably, because of Congresswoman Kaptur's help in securing financing for the Maumee Valley Growers and because of her interaction with Dennis Johnson, she received \$500 in contributions to her campaign. It is likely Mr. Johnson realized the work she had done for the group, hoped to secure more financing, and would like to see her to continue to work on behalf of farmers and in the field of agriculture, which supports his business in the insurance industry.

In 2006, Congresswoman Kaptur also has supported the interests of the National Association of Insurance and Financial Advisors 75 percent of the time—giving yet another reason why Mr. Johnson’s contribution to Congresswoman Kaptur’s re-election campaign was in his interest.

James Ruvolo, former head of the Ohio Democratic Party and a constituent of Congresswoman Kaptur’s, also donated to the Congresswoman’s re-election campaign. Mr. Ruvolo is currently a political consultant for Ruvolo & Associates, and like Mr. Johnson, is also a member at Inverness Country Club in Toledo. Mr. Ruvolo assisted in the writing of the report “Democracy at Risk: The 2004 Election in Ohio”—sponsored by the Democratic National Committee. His involvement on the committee that reviewed the 2004 Presidential election in Ohio, previous work as chairman of the Ohio Democratic Party, and his work on the presidential campaigns of three recent Democratic candidates demonstrates his partisanship. It appears Mr. Ruvolo donated the \$500 to Congresswoman Kaptur because of his political leaning and his past support of Democratic candidates as shown through his leadership in the Democratic Party.

The third individual that seems to have a motive for contributing to Congresswoman Kaptur’s re-election campaign is Patricia Connell. Ms. Connell is the only out of state person I selected—she is a resident of Westfield, New Jersey. She is the Director of Connell Rice & Sugar Corporation. Over the past election cycle, she contributed \$96,000 to candidates and campaign committees across the country--\$18,000 to House candidates, including \$2,000 to Congresswoman Kaptur.

In looking over the other contributions Ms. Connell made, it is clear she only gave to Democratic candidates in the House and Senate. She did not even donate to the campaign of the congressman in her house district—Republican Michael Ferguson. Ms. Connell did not target all the members of one committee in Congress, but rather spread her donations over a few

committees and subcommittees relating to her interests, which seem to indicate what she would like her contributions to accomplish—legislation that is favorable to her and her company. The committees Ms. Connell targeted in the house are Agriculture (Rep. Stephanie Herseth-Sandlin [D-SD], Rep. Earl Pomeroy [D-ND], and subcommittee member Rep. Marcy Kaptur [D-OH]), Subcommittee on Water Resources (Rep. Ellen Tauscher [D-CA] and Rep. Doris Matsui [D-CA]), Budget (Rep. Robert E. Andrews [D-NJ]) and the Subcommittee on Income Security (Rep. Mike McNulty [D-NY]). All of these committees seem to relate to Connell Rice & Sugar Corporation.

Besides individual contributors, numerous Political Action Committees (PACs) donated to Congresswoman Marcy Kaptur's campaign, each for different reasons and each in a different sector of business.

One of the PACs that donated to Congresswoman Kaptur's re-election campaign was the United Auto Workers (UAW). The UAW contributed \$10,000 to her campaign—the most to any candidate. Throughout her time in the House of Representatives, Congresswoman Kaptur has been very supportive of labor unions. Vote-Smart.org found that in 2006 Congresswoman Kaptur's votes on all pieces of legislation that could affect the UAW the Congresswoman sided with the UAW. Arguably, part of this support for union workers comes from the presence of Jeep in Toledo as well as the presence of other strong unions in District 9. Three pieces of legislation for sure could be seen as benefiting UAW, legislation Congresswoman Kaptur has supported or is currently supporting. Kaptur co-sponsored H.R. 2 (110th Congress), which called for an increase in the Federal Minimum Wage. She also co-sponsored H.R. 800 which sought to amend the National Labor Relations Act, making it more labor friendly. She also introduced H.R. 1958, which has been referred to the House Ways and Means Committee. H.R. 1958 would

call for the withdrawal of normal trade relations with China. Undoubtedly, all pieces of legislation support the UAW. Even though the legislation on the National Labor Relations Act does not directly affect the UAW, it does support the strength of other potential unions across the country, which does support the overall union movement. The piece of legislation referring to trade relations with China might be the most helpful to the UAW, however, possibly saving jobs.

Teledyne Technologies, a defense industry specializing in aerospace products that has an office located in Toledo, gave three separate contributions to Congresswoman Kaptur's campaign--\$1,000 (on May 9, 2006), \$5,000 (on June 9, 2006), and \$4,000 (on June 16, 2006) for a total of \$10,000. There seem to be a few motivations for Teledyne Technologies contributions to Congresswoman Kaptur's re-election. Congresswoman Kaptur co-sponsored H.R. 1773, which sought to limit the authority of the Secretary of Transportation in commercial dealings with Mexico. A major part of Teledyne Technologies is wireless and satellite communications. It is possible that the Thousand Oaks, CA based company feared a loss of business prior to the bill being introduced. Congresswoman Kaptur, an avid opponent of NAFTA and CAFTA, became an ally of Teledyne Technologies, keeping United States jobs in the United States. Another part to this contribution could be the business Congresswoman Kaptur brought to Teledyne. In late 2004, Kaptur announced a joint venture for a small engine turbine, which she secured \$1.3 million for. Teledyne was part of this venture. The bill that included this appropriation was the 2004 Omnibus Appropriations Bill. It seems likely that the business brought through the appropriation was another influence on Teledyne to donate to Kaptur's re-election campaign—as thanks for the work she did and hopes of future beneficial work she might do for the company.

Besides being a big union supporter and recognizing the importance of keeping jobs in the United States—and locally whenever possible—Congresswoman Kaptur has always been concerned about the agribusiness sector, which is huge in District 9. It makes sense that the Dairy Farmers of America made two separate \$1,000 contributions toward Kaptur's re-election campaign (May 20, 2006 and September 25, 2006). For the 2005-2006 year, Congresswoman Kaptur received a 100% approval rating for supporting the interests of the National Farmers Union. There is no doubt that some members of the National Farmers Union also are a part of the Dairy Farmers of America. Recently, the House passed H.R. 2419; the Farm, Nutrition, and Bioenergy Act of 2007. One part of the bill, which Congresswoman Kaptur voted yes on, directly pertained to the Dairy Farmers of America, Section 1401, which states, "Supports the price of dairy products by requiring the Secretary of Agriculture to buy cheddar cheese, butter and nonfat dry milk made from milk produced in the United States". Two other pieces of legislation that could have an effect on the Dairy Farmers of America are currently in committees. H.R. 2462, which would amend the Farm Security and Rural Investment Act of 2002, is currently in a subcommittee. It is also possible that by contributing to Kaptur, the Dairy Farmers of America want Kaptur to keep in mind they supported her during her re-election before she casts her vote—if the bill makes it out of the subcommittee. The other piece of legislation is H.R. 2766, National Dairy Equity Act of 2007. The bill is currently in the House Committee on Agriculture. Stabilization and an increase in income would definitely benefit the Dairy Farmers of America.

Based on three of the individual contributors and three of the PACs there are different reasons for contributing to a candidate for political office. Some contribute because of the proven track record a candidate has for support of that industry, like support of labor and

agribusiness by Congresswoman Kaptur. Others contribute out of allegiance to the party, like Mr. Ruvolo. Still others seem contribute for help on a bill or series of bills that would affect their industry in a drastic way, like what seems to be the case with Teledyne Technologies, Mr. Johnson and Ms. Connell.

With the passage of the Bipartisan Campaign Reform Act of 2002, contributions of soft money and contributions to congressional campaign committees changed. With the ban on soft money, the parties looked to new sources to make up for the money they stood to lose: “new soft money” and increased donations by the candidate and individuals to the congressional campaign committees. Two of the three individuals selected who contributed to Congresswoman Kaptur’s re-election campaign also made contributions in the form of “new soft money”—James Ruvolo and Dennis Johnson. Patricia Connell made a contribution to the Democratic Congressional Campaign Committee (DCCC).

By contributing to the “new soft money”, individuals could be doing different things. It could involve supporting a 527 that represents their interests, or it could involve supporting a party at the state level, many of which are 527s. James Ruvolo donated a total of \$2,000—two \$1,000 donations—toward the Democratic Party of Ohio. Mr. Ruvolo’s support of the Democratic Party of Ohio and Congresswoman Kaptur seems fairly clear—Mr. Ruvolo was chairman of the Ohio Democratic Party from 1982 until 1991, as well as serving as a representative for the election campaigns of presidential candidates Bill Clinton, Al Gore, and John Kerry. Mr. Ruvolo is a partisan—he donated to support his congresswoman and donated to support the political party he worked for—he gave over a decade of service to the party.

Dennis Johnson, besides donating to Congresswoman Marcy Kaptur’s re-election campaign, also donated a total of \$1,000, in two \$500 donations, towards the Council of

Insurance Agents & Brokers. Reflecting on his contribution to Congresswoman Kaptur, it was possible his decision was influenced by his business, which benefited from a grant secured by Kaptur for the Maumee Valley Growers. Taking that same idea of his business leading him to contribute, it is safe to say it is the same case here with deciding to donate to the Council of Insurance Agents & Brokers. He trusts that the Council of Insurance Agents & Brokers will support his interests as the president of Brooks Insurance in whatever they decide to do with his contribution.

Unlike the donations of Mr. Ruvolo and Mr. Johnson, which were to 527s—the “new soft money”—Patricia Connell’s contribution was to the DCCC. Because of BCRA’s ban on soft money, national congressional campaigns and candidates would have to find a new way to fundraise. An increase in hard money contributions can be noted in a few places: contributions of \$200 or less, contributions of a candidate to the party committees (which had no limit), and an increase in donations toward the national congressional campaigns. Ms. Connell falls into the last group. Her donation of \$25,000 is the maximum she could give to the DCCC in the 2005-2006 election cycle. It also seems to represent the effort of the DCCC to seek her out and secure her donation for the most allowable by an individual contributor to a national congressional campaign committee. One thing is for certain, she did not intend to use a joint committee approach with Congresswoman Kaptur—where she would donate the maximum amount to the candidate and donate more towards the national campaign committee with the intention of having the money moved to the candidate’s campaign. In looking over Congresswoman Kaptur’s fundraising, there is no donation to her on behalf of the DCCC, showing that the joint committee approach is not the case here. It is possible, however, that a joint committee approach could have been done with the other congressional candidates she contributed to, since she

selected a sizable amount across the country. It is also possible she is just a loyal Democrat and besides giving the maximum possible to most candidates, she wants to support her party at the national level giving the maximum there, too, while benefiting her own business interests.

Looking at the 2005-2006 election cycle, post-BCRA, means little if the goals and purposes of BCRA are not taken into account. Michael J. Malbin, editor of *The Election After Reform*, looks at what BCRA was designed to do, what it did accomplish, and attempts to make predictions about what BCRA means for future fundraising. Malbin gives numerous points that lend themselves to discussion in light of contributions to Congresswoman Kaptur's campaign, but four stick out as major points, all pertaining to party support, soft money, and how BCRA affects the future. Based upon the points that Malbin offers and on the analysis I did of Congresswoman Kaptur's fundraising numbers, it appears that the passage of BCRA did eliminate soft money contributions, but at the same time, it led to other ways for congressional candidates to be able to make up for the loss. BCRA, rather, plugged one sort of campaign contribution. As a result, money came in from different directions and at times, unexpected sources.

Malbin argues that there should be an increase in party donor support. He argues that there should be a noticeable increase in contributions for the candidates at the national level as well as the political parties, especially in the 2001-2002 election cycle, with the impending passage of BCRA legislation. Keeping in mind this analysis is only being applied to one Congressional candidate and not any others, there is some what of a mixed review of Malbin's analysis. Looking at fundraising numbers for Congresswoman Kaptur for the 2001-2002, 2003-2004, and 2005-2006 election cycles, it is discernable as to what part of Malbin's analysis fits. For the 2001-2002 election cycle Congresswoman Kaptur received a little over \$418,000 in

campaign contributions. For the 2003-2004 election cycle she received a little over \$660,000. The most recent completed election cycle, 2005-2006, show her bringing in just over \$505,000. Based upon this analysis, it is clear that Congresswoman Kaptur's numbers went up significantly between the 2001-2002 and 2003-2004 election cycles. This could be largely attributed to a couple of things—It could be attributed to an increase in hard money contributions to offset the loss of soft money contributions under the passage of BCRA or it could be attributed to the 2003-2004 cycle being one that included a presidential race that attracted more attention and money. Assuming that the contributions to the campaign for the 2003-2004 cycle are largely based on the ban on soft money, Malbin's analysis appears to be correct that there is a significant increase in donations of hard money. If the analysis is done between the 2001-2002 cycle and the 2005-2006 cycle—both off year congressional races—it is clear that campaign contributions to Congresswoman Kaptur increased, by about 20%.

Moreover, in looking at one individual, Mr. Ruvolo, and his previous contributions to the Democratic Party of Ohio, it appears something happened between the 2001-2002 and the 2003-2004 election cycles. In the 2001-2002 cycle, Mr. Ruvolo did not donate to the Democratic Party of Ohio. In the 2003-2004 and 2005-2006 cycles, Mr. Ruvolo did donate. This might be attributed to what Malbin discussed—a greater effort on the part of the parties to solicit more donations.

Party donor support also came in the form of unitemized receipts to congressional campaigns—those contributions that are less than \$200 in a given cycle to a given candidate. Malbin argued that since the passage of BCRA, there has been an increase in these unitemized contributions, showing another way that money is coming through in different forms to compensate for a loss of soft money. The contributions received could be attributed to a

renewed effort by both parties, more so the Democratic Party, to seek contributions from the smaller donors, ones that can't afford to give \$2,000, but can afford to give \$5 or \$10.

Again, the presidential cycle showed the highest point of unitemized contributions to Congresswoman Kaptur's campaign with \$181,196. The analysis of the 2001-2002 and 2005-2006 cycles shows a marked increase in contributions from people giving of \$200 or less, from \$32,233 to \$72,212. This could be attributed to a number of factors—It could be attributed to a greater effort on the part of Congresswoman Kaptur to reach out to working class voters in District 9, it could be attributed to assistance on the part of the DNC or DCCC (in providing a staffer or offering fundraising ideas), or it could also be attributed to the make up of District 9—largely rural voters but a sizable amount of union voters too, people that do not make an exorbitant amount of money, but want to be able to contribute to the campaign of Congresswoman Kaptur. Either way, it is apparent that between the two non-presidential election cycles, there is a marked increased in unitemized contributions toward Congresswoman Kaptur's campaign. The smaller donor appears to be a crucial part to successfully fundraising for both political parties.

Congressional members of both parties, post-BCRA, are expected to contribute to the national congressional campaign committees in order to assist fundraising efforts. Malbin says, "...the DCCC expected Members to pay party dues between \$70,000 and \$400,000, depending on their seniority, committee posts, leadership roles, and fundraising history," (Malbin, 2006, p. 42). Assuming this is the case post-BCRA, this would explain the significantly higher contributions on the part of Congresswoman Kaptur towards the DCCC. Kaptur contributed \$45,500 to the DCCC in the 2001-2002 cycle. In the 2003-2004 cycle and the 2005-2006 cycle, her contributions increased to \$100,000 and \$150,000, respectively. Even though Kaptur has

been one of the longest serving members of the House, she has not had many leadership roles (although she has served on some of the most important committees), and she the amount she has fundraised pales in comparison to what many other candidates and members fundraise for their candidacy. What might also be interesting to look at, something Malbin focuses less upon, is the contributions by Congressional Members to other Members or Congressional candidates. While there was not an increase between 2001-2002 and 2003-2004 election cycles in contributions by Congresswoman Kaptur to other Members or Congressional candidates, there was a significant increase in the 2005-2006 cycle, where Kaptur contributed a total of \$111,000 to House races, as compared with \$30,000 (2003-2004) and \$43,000 (2001-2002) in the past. This might have to do with making up for her low DCCC contributions. It also might have something to do with the expectation of Democrats picking up more House seats during the 2005-2006 cycle, and the emphasis the party placed on House members supporting their colleagues in tough House races.

Malbin's analysis of an increase of "dues" to the DCCC by Congressional Members, "dues" that are unlimited campaign contributions, appears to be another crucial way that parties have adapted to the loss of soft money and substituted it with an increase in hard money contributions.

Malbin makes an argument about future expectations for campaign receipts, specifically relating to the 2005-2006 cycle, "It is therefore likely that national committee receipts will decline, as is typical in a midterm election cycle," (Malbin, 2006, p. 35). On the surface it seems as if this argument is plausible. However, looking at the contributions on behalf of Congresswoman Kaptur, this definitely does not apply to her. Congresswoman Kaptur's contributions to the DCCC went up from 2003-2004 to the 2005-2006 cycle. Malbin's argument seems to depend upon the significantly decreased weight of an election in an off year, which is

generally the case. However, with the Democratic Party predicted to take back the House in the 2006 election, it is possible the cash reserves for the DCCC increased, at least on the part of Congresswoman Kaptur. In this case, the contributions by a single House Member, Congresswoman Marcy Kaptur, did not decrease because an off year election, but rather increased in an effort to take back the House.

As what appears to be the case with the findings of Malbin in *The Election After Reform*, there appears to be a funneling of money through other new sources that parties have come up with in order to make up for the predicted loss of money due to the BCRA ban on soft money. As an example of a House Member who embodies the argument of Malbin, Congresswoman Kaptur has proven Malbin's theory to have some weight, at least on an individual basis. She had shown the greater commitment on the part of House Members to the national party and the greater commitment of the party and House Members towards the smaller contributors—both ways of increasing cash on hand that were not used as widely in the past. While not all of Malbin's points appear to be valid and relate to the fundraising patterns for Congresswoman Kaptur and her financing toward the DCCC, there are certainly points that relate to what has happened since the passage of BCRA and how hard money contributions have changed in the wake of the ban on soft money contributions.

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