



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 2784

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November 4, 1988

Lawrence M. Noble, Esquire
General Counsel
Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20004

Dear Mr. Noble:

This Complaint, by Jean Paul Bradshaw II, Chairman, Greene County Republican Central Committee of Missouri ("Complainant"), P.O. Box 10327, Springfield, Missouri 65808, against Max Bacon and Max Bacon for Congress Committee (FEC ID# C00128562), is filed with Exhibits with the Federal Election Commission ("FEC") pursuant to 2 U.S.C. section 437(a) of the Federal Election Campaign Act of 1971, as amended ("the Act").

Max Bacon ("Bacon"), a candidate for the U.S. House of Representatives from Missouri's Seventh Congressional District and Max Bacon for Congress (FEC ID# C00224519, Bacon's principal campaign committee ("the Bacon Committee") have violated the Act by knowingly and willfully failing to disclose the sponsorship and authorization of various political advertisements and direct mail pieces which advocated Bacon's election. 2 U.S.C. section 441d(a), 11 C.F.R. section 110.11.

I. FACTS

On October 3, 1988, a man believed to be the manager of Bacon's committee delivered to PIP Printers, a local printing shop, a campaign flyer to be printed and later distributed. He specifically instructed the printer not to put any message revealing the campaign's involvement with the flyer. This flyer

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FEDERAL ELECTION COMMISSION

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advocated the election of Bacon by urging defeat of his opponent, Mel Hancock ("Hancock"). (A copy is attached as Exhibit A). A number of other similar pieces have been distributed throughout the campaign. (Copies are attached as Exhibits B-D). It is believed that these pieces also came from Bacon's committee. None of these pieces contain statements of sponsorship and authorization as required by Federal law.

A number of large signs and billboards advocating Bacon's election have been erected, some prior to the August primary election. Many of the signs (copies of two examples are attached as Exhibit E) contain no statement of sponsorship and authorization as required by Federal law.

The disclaimer rules of the Act are designed to provide the public with complete information on the sponsorship and authorization for the political advertisements and the direct mail pieces. Bacon's failure to use the required federal disclaimer appear to be an attempt to conceal from the public crucial information about his sponsors. Such failures, on their face, represent clear violations of the Act.

II. DISCUSSION

Federal law specifically provides that when a communication expressly advocates the election or defeat of a clearly identified candidate, or solicits any contribution through any broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing, or any other type of general public political advertising, must clearly and conspicuously display one of the following authorization notices:

if paid for and authorized by a candidate, an authorized political committee of a candidate, or its agents, shall clearly state that the communication has been paid for by such authorized political committee, or

if paid for by other persons but authorized by a candidate, an authorized political committee of a candidate, or its agents, shall clearly state that the

communication is paid for by such other persons and authorized by such authorized political committee;

if not authorized by a candidate, an authorized political committee of a candidate, or its agents, shall clearly state the name of the person who paid for the communication and state that the communication is not authorized by any candidate or candidate's committee. (Emphasis added). (2 U.S.C. section 441d(a)).

The political advertisements, direct mail pieces and outdoor advertising (Exhibits A-E) clearly advocated Bacon's election, and in some cases the defeat of his clearly identified opponent. However, there is no federal disclosure of who sponsored or paid for the political advertisements or the direct mail pieces.

Bacon clearly attempted to benefit from the political advertisements and the outdoor signs. But did Bacon's federal campaign pay for them? Does Bacon have anonymous benefactors? Or, was there help from sources Bacon does not want the public to know about? By violating 2 U.S.C. section 441d(a) and 11 C.F.R section 110.11(a), Bacon and the Bacon Committee insured that the answers are hidden from the public. This flies in the face of the clear intent of Congress in enacting the Act. The public is entitled to know who is responsible for these advertisements and why the Bacon committee has been so intent upon hiding their identity.

III. CONCLUSION

Therefore, by failing to disclose the sponsorship and authorization of the flyers, direct mail pieces and outdoor advertising which advocated Bacon's election and Hancock's defeat to the U.S. Congress, Bacon and the Bacon Committee have knowingly and willfully violated the Act.

IV. PRAYER FOR RELIEF

Complainant requests that the FEC investigate these violations and enforce the Federal Election Campaign Act and the Commission's regulations.

Complainant further requests that the FEC seek the maximum fines for the violations as set forth in 2 U.S.C. section 437g, and take all steps necessary, including civil and injunctive action, to prevent respondents from continuing their illegal activity.

V. VERIFICATION

The undersigned swears that the allegations and facts set forth in this Complaint are true to the best of his knowledge, information and belief.

Jean Paul Bradshaw II
Jean Paul Bradshaw II, Chairman
Greene County Republican Central
Committee of Missouri
P.O. Box 10327
Springfield, Missouri 65808

Subscribed and sworn to before me this 4th day of November, 1988.

Dorothy L. Southard
Notary Public

My Commission Expires: October 7, 1992.

Dorothy L. Southard Notary Public
Greene County State of Missouri
My Commission Expires Oct 7, 1992

ONLY A FEW YEARS AGO MEL HANCOCK WAS PRO-ABORTION

In 1984, Hancock changed his position, admitting that he once had a "tendency to lean toward pro-choice". (News-Leader, 10/12/84)

THE QUESTION IS: WHY DID HANCOCK FLIP-FLOP
ON THIS CRUCIAL ISSUE?

THE ANSWER IS: In 1984, Hancock, for political reasons only, announced he is now pro-life. It makes one wonder if Hancock is not just one of those "professional politicians who frequently changes his position based on expensive opinion polls". (Kansas City Star, 3/10/82)

It was because of this flip-flop and because Mel Hancock has not worked aggressively for the pro-life position that Mel Hancock was never endorsed by the Missouri Right to Life Committee during the primary! Only Dennis Smith, Gary Nodler, and Max Bacon received the Primary Election endorsement.

So where does Mel Hancock stand now? With his record of flip-flopping on this issue...

WILL HE FLIP-FLOP AGAIN?

Exhibit A

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See notes

MEL HANCOCK WILL TAX SOCIAL SECURITY

HERE ARE THE FACTS:

On August 24, 1988 in Branson, MO Mel Hancock said, "So, the Social Security benefit...I've wondered for a long-time, why social security is exempted (from being taxed). In the same paragraph Mel Hancock said, "There's going to start getting rid of some of the special exemption type things and reduce the (tax) rate, that's what I'm in favor of." Mel's comments are on audio tape and video tape. Channel 3 in Springfield ran a news story on Mel's remarks showing the words coming out of his mouth. Since that statement, Mel Hancock has been doing a lot of back-pedaling. In Anderson, MO on October 20th Mel said he was only joking. Mel Hancock is trying to back away from his own words, but there is no doubt that he wants to get rid of your social security tax exemptions. If Mel is elected and if he gets his way, a loss of your exemptions on social security would mean higher taxes.

Exhibit B

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Mel Hancock

MEL HANCOCK WILL LOWER THE MINIMUM WAGE!

Did you know that according to his Financial Disclosure Statement, Mel Hancock earned \$125,000 during 1987! BUT, Hancock, who is running for Congress here in southwest Missouri, wants to reduce the pay of people who earn minimum wage. Mel Hancock made that statement on September 1st in Mt. Grove.

FRIDAY, SEPT. 2, 1988

News-Journal ***Covering The Mtn. Grove Area***

Hancock was speaking before the Mountain Grove Chamber of Commerce's noon meeting on Thursday.

During the presentation Hancock also outlined his position on several additional topics.

...Opposes an increase in minimum wage

He indicated he would even consider a reduction of the minimum wage

That's right! Mel Hancock has no problem paying himself \$125,000, but he refuses to allow working men and women a minimum wage that just barely provides a salary you can live on.

Exhibit C

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HANCOCK HAS BEEN BRIDLED

You will notice that whenever Mel speaks publicly these days away from traditionally friendly groups, he speaks from a prepared text. There is a reason for this: He has been bridled by his staff. Since August, Mel has already made some serious blunders. Here are just two recent examples: On August 24th in Branson, Mel said he couldn't understand why Social Security was exempt from taxes. Channel 3 in Springfield ran a news report on his exact statement. Since that time Mel has spent hours trying to explain "what he really meant."

On September 22nd during a taped interview on KTTS radio in Springfield, Mel was asked about his ties to the Libertarian party. Amazingly, he said he "supports many of their economic policies" and he said the Libertarian party has adopted many of the "policies on which this nation is founded." Since that time Mel has tried to do some back pedaling trying to prove he's not an extreme right winger, however, the statements are still on tape.

MEL IS TRYING TO BACK OFF OF EARLY STATEMENTS THAT HE WANTS TO GET RID OF ALL EXEMPTIONS AND IMPLEMENT A FLAT-RATE TAX

While running for U.S. Senate in 1982 Hancock took the following position on federal income taxes:

"He (Hancock) favors a federal income tax that would charge taxpayers a flat percentage rate of income and eliminate exemptions. (The St. Charles Post, 7-27-82)

This is the same position that Hancock has advocated during the present Congressional campaign at the now famous Branson speech when Hancock said he couldn't understand why social security tax exemptions were needed.

Hancock has also advocated the elimination of exemptions from Missouri State sales tax. (Daily News, 12/5/85)

Of course, such a plan would kill your home mortgage exemption and your dependant deductions, to name just two.

Please see other side

THINGS YOU SHOULD KNOW ABOUT MEL HANCOCK

IS MEL HANCOCK REALLY A REPUBLICAN?

Last year Mel Hancock considered running for Governor as Libertarian against John Ashcroft because of his many differences with Ashcroft. He also considered running as an Independent and some suggested he switch to the Democrats. St. Louis Post Dispatch, 10-5-87

MEL HANCOCK DID NOT GET ANY OF THE MAJOR SW MISSOURI FARM ENDORSEMENTS...AN AMAZING FAILURE FOR A GOP CANDIDATE

The Farm Bureau endorsed Hancock's opponent Max Bacon.

ADEPT, the education arm of Mid-America Dairy here in Springfield gave financial support to Bacon but not to Hancock.

The education arm of the National REA also gave financial support to Bacon and not to Hancock.

MEL HANCOCK IS CONSTANTLY BREAKING PROMISES

While campaigning for the Hancock Amendment, Mel promised to never run for public office (Post-Dispatch 4-29-81). Since then, Mel has become a perennial candidate. He has run for office three times and additionally has considered running on three other occasions (Secretary of State in 1981; Governor in 1987; and Lt. Governor again in 1987.)

Hancock has dramatically changed his position on abortion over the years. In 1982 Hancock opposed a federal constitution amendment banning abortion. Springfield News-Leader 7-18-82 and St. Louis Post Dispatch 8-1-82.

In 1984 while running against Harriett Woods, Hancock flip-flopped and became strongly pro-life.

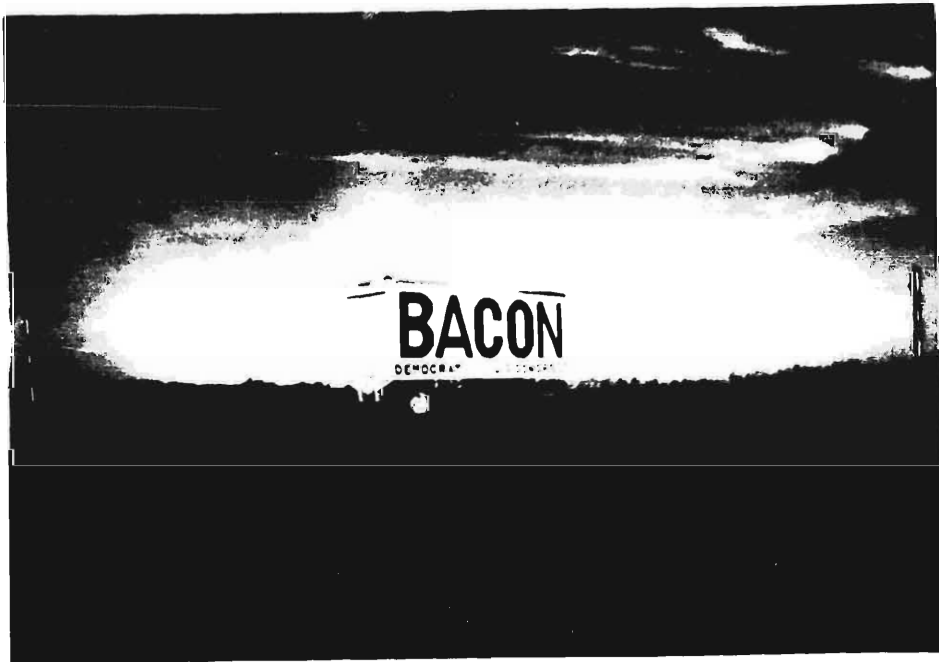
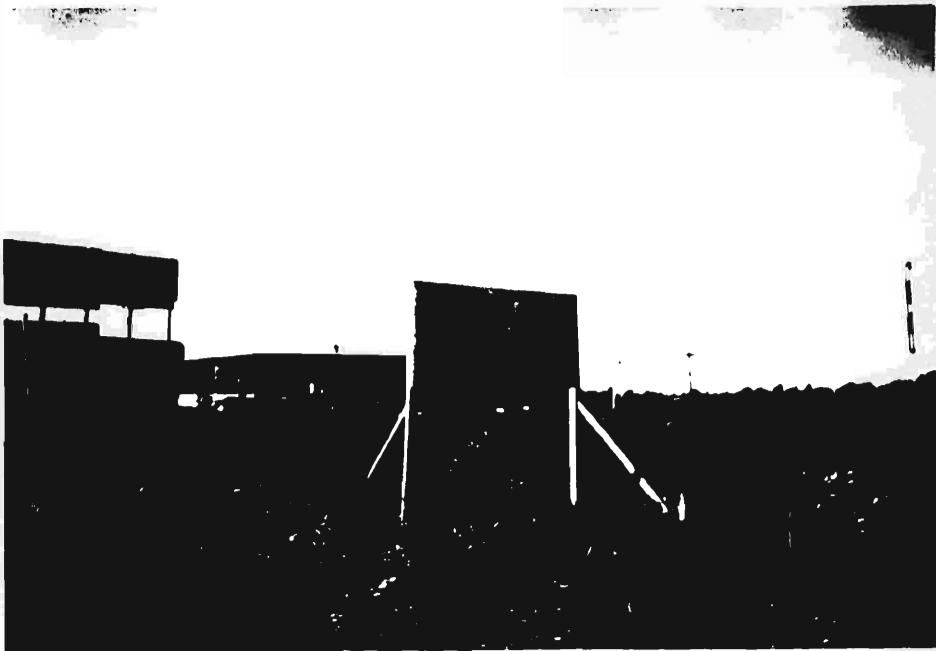
It makes one wonder if Hancock is not just one of those "professional Politicians who frequently changes his position based on expensive opinion polls." Kansas City Star, 3-10-82

Please see other side

Exhibit D Page 2 of 2

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

November 21, 1988

Mr. Jean Paul Bradshaw, II
Chairman
Green County Republican Central
Committee
PO Box 10327
Springfield, MO 65808

RE: MUR 2784

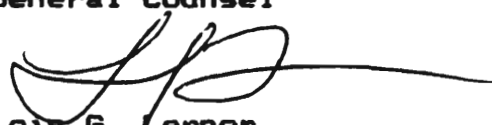
Dear Mr. Bradshaw:

This letter acknowledges receipt on November 14, 1988, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended (the "Act"), by the Max Bacon For Congress Committee and William R. Compere, as treasurer, and Max Bacon. The respondents will be notified of this complaint within five days.

You will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be sworn to in the same manner as the original complaint. We have numbered this matter MUR 2784. Please refer to this number in all future correspondence. For your information, we have attached a brief description of the Commission's procedures for handling complaints. If you have any questions, please contact Retha Dixon, Docket Chief, at (202) 376-3110.

Sincerely,

Lawrence M. Noble
General Counsel

By: 
Lois G. Lerner
Associate General Counsel

Enclosure
Procedures

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 21, 1988

William R. Compere, CPA, Treasurer
Max Bacon For Congress Committee
PO Box 8235
Springfield, MO 65801

RE: MUR 2784
Max Bacon For Congress
Committee and William
R. Compere, as treasurer

Dear Mr. Compere:

The Federal Election Commission received a complaint which alleges that the Max Bacon For Congress Committee and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2784. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you and the Max Bacon For Congress Committee in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

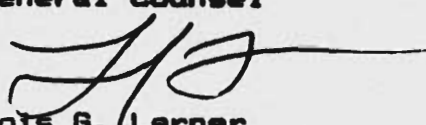
This matter will remain confidential in accordance with Section 437g(a)(4)(B) and Section 437g(a)(12)(A) of Title 2 unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

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If you have any questions, please contact Robert Raich, the attorney assigned to this matter, at (202) 376-5690. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel


By: Lois G. Lerner
Associate General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

November 21, 1988

Mr. Max Bacon
3531 E. Whitehall
Springfield, MO 65804

RE: MUR 2784

Dear Mr. Bacon:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2784. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with Section 437g(a)(4)(B) and Section 437g(a)(12)(A) of Title 2 unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

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If you have any questions, please contact Robert Raich, the attorney assigned to this matter, at (202) 376-5690. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel



By: Lois G. Lerner
Associate General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

21040323378

88 DEC 14 AM 9:00

December 9, 1988

Mr. Lawrence M. Noble
General Counsel
Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20004

Re: MUR 2784
Max Bacon for Congress Committee,
William R. Compere, Treasurer
and
Max Bacon, Candidate

Dear Mr. Noble:

I have your letter of November 21, 1988, concerning the above numbered matter. A similar letter was sent to Mr. William R. Compere, CPA, our campaign treasurer, as a representative of the Max Bacon for Congress Committee. Mr. Compere's only function with the campaign was that of treasurer and he had nothing to do with the operation of the campaign. Our campaign manager who was in charge of the day to day operation of the campaign was Mr. Gary Edwards. Mr. Edwards ceased his involvement with the campaign on November 9, and is now living in the Washington, D. C. area.

I am, therefore, responding to the complaint on behalf of the committee, Mr. Compere, and myself.

The complaint filed by Mr. Jean Paul Bradshaw II, Chairman, Greene County Republican Central Committee complains^{of} flyers which did not contain an attribution statement and of signs which did not contain an attribution statement.

I will first deal with the complaint concerning flyers. I

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believe that this portion of the complaint should be dismissed.

The complaint on its face along with the attached exhibits shows that it is without merit. Exhibits A - D are photocopies of the flyers complained of. Nowhere do exhibits A - D advocate the election or defeat of a candidate or solicit contributions. Exhibits A and B make no mention of any election, any party affiliation, any candidacy, or disclose any general election opponent.

Exhibit C mentions the fact that Mr. Hancock is running for Congress, but makes no mention of any party affiliation or opponent and does not advocate the election or defeat of anyone. Exhibit D does not advocate the election or defeat of any candidate.

I do not believe that any of these flyers were paid for by, distributed by or authorized by myself, Bill Compere, or the Max Bacon for Congress Committee. (Of course, there is no allegation that Exhibit A was ever distributed and consequently would not be a "communication" as required by the statute.)

The complaint alleges that "A number of large signs have been erected, some prior to the August primary election. Many of the signs (copies of two examples are attached as Exhibit E) contain no statement of sponsorship and authorization as required by Federal law." During the campaign for Congress we had something in excess of 7000 signs spread over 17 counties in the 7th District of Missouri. Most of these were printed signs prepared by a local printer. Many were silk screened by volunteers. Some were hand painted by volunteers. It was our intention that every one of these signs contain the statement "Paid for by Max Bacon for Congress Committee."

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In addition a number of people around the District painted signs on their own, following our design, which they then erected. This was often done without our knowledge or authorization (although we did not object to this being done).

The first picture in complainant's Exhibit showing pictures of signs (I assume Exhibit E although our copy is not labeled as such) appears to show a 4 x 8 wooden, handpainted sign. It is not apparent where the sign is located or whether it is one that our volunteers painted and erected or whether it is one that we did not authorize although it is of the same design of the ones that were painted and erected by our volunteers. We painted approximately 100 of these, each of which contained the above mentioned attribution statement directly beneath the words "U.S. CONGRESS."

The second picture on the exhibit is of a sign which is easily identified as it was the only one of its kind that we had in the campaign. It was painted on the side of a 24 foot trailer owned by a friend of ours. This was an old trailer which had originally been part of a fleet of trucks of a dairy company. It was purchased at an auction a number of years ago and used for storage. It was loaned to us for the campaign to be used as a sign. I had some old cans of paint in my garage that we used to paint the sign on it. The work was done by my wife and I and a couple of volunteers. There was no money spent on this sign.

This sign was the subject of considerable discussion in our campaign. Someone suggested that it should contain the statement, "Paid for by Max Bacon for Congress Committee" just like all our other signs. Someone else observed that this would be absolutely

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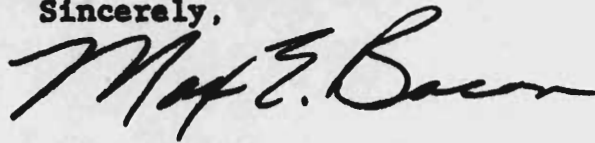
false and would mislead the voters. Someone else proposed that it say, "Paid for by Max Bacon" since it was my paint that was used to letter it. But it was felt that this would be misleading as it would appear that I had paid for the whole project rather than simply supplying a little bit of paint. (Moreover, I think the paint was there when I bought the house). In the end we finally decided that it would be more accurate and less misleading to just put no statement on the sign. At any rate, it would seem that the statute would not apply to this sign as there were no sums expended for it by anyone.

I am hopeful that based upon this response and an examination of the complaint and the exhibits that you will find that there is no reason to believe that the complaint sets forth a possible violation of the act and that the Commission should close its file on the matter. Consequently, I have elected not to undergo the expense of employing legal counsel to represent me or the Committee. If the matter is to be pursued further, I will go ahead and hire an attorney. I trust that this will not be interpreted as lack of concern or seriousness on my part. I regard this matter as very serious.

In twenty years of public service, there has never been even a hint of any wrongdoing on my part. It is disheartening to me to end my career of public service under this sort of cloud. No election is worth destroying the good name and reputation that I have worked a lifetime to develop. Consequently, I impressed upon everyone connected with my campaign that we must not only follow the law to the letter but also avoid even the appearance of impropriety.

I believe everyone conducted themselves in that manner.

Sincerely,

A handwritten signature in dark ink, appearing to read "Max E. Bacon". The signature is fluid and cursive, with the first name "Max" being more prominent.

Max E. Bacon

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FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT
89 JUN 16 AM 9:59

FIRST GENERAL COUNSEL'S REPORT

SENSITIVE
EXECUTIVE SESSION

MUR #: 2784
DATE COMPLAINT RECEIVED
BY OGC: 11/15/88
DATE OF NOTIFICATION TO
RESPONDENTS: 11/21/88
STAFF MEMBER: R. Raich

JUN 27 1989

COMPLAINANT: Jean Paul Bradshaw, II, Chairman, Greene County
Republican Central Committee of Missouri

RESPONDENTS: Max Bacon for Congress Committee and William R.
Compere, CPA, as treasurer
Max Bacon

RELEVANT STATUTE: 2 U.S.C. § 441d(a)

INTERNAL REPORTS CHECKED: Candidate Index of Supporting
Documents
Statement of Candidacy
Statement of Organization

MUR 2607

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

This matter is the result of a complaint against Max Bacon for Congress Committee (the "Committee") and William R. Compere, CPA, as treasurer, and Max Bacon. Mr. Bacon has responded on behalf of all respondents (Attachment 1).

II. FACTUAL AND LEGAL ANALYSIS

A. The Complaint

The complaint provides copies of four flyers and photographs of two signs that do not contain disclaimers (Attachment 2, Exhibits A-E). The complaint asserts that the flyers were distributed during the campaign and that they advocated the defeat of Max Bacon's clearly identified opponent, Mel Hancock.

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B. The Law

Whenever any person makes an expenditure for the purpose of financing a communication expressly advocating the election or defeat of a clearly identified candidate, such communication must include a disclaimer concerning who paid for and authorized the communication. 2 U.S.C. § 441d(a). It is apparent that the communications in question referred to clearly identified candidates, to wit Mel Hancock and Max Bacon. To determine whether the communications required disclaimers, it is thus necessary to decide whether the communications "expressly advocated election or defeat" of those candidates.

To be "express advocacy" under the Act, speech must, when read as a whole and with limited reference to external events, be susceptible of no other reasonable interpretation than as an exhortation to vote for or against a specific candidate. FEC v. Furgatch, 807 F.2d 857 (9th Cir. 1987), cert. denied, 108 S. Ct. 151 (1987). The Furgatch court broke that standard into three components. First, speech is "express" if its message is unmistakable and unambiguous, suggestive of only one plausible meaning. Second, speech is "advocacy" only if it presents a clear plea for action, and is not merely informative. Finally, speech is "express advocacy for the election or defeat of a clearly identified candidate" only when it is clear what action is advocated, i.e. that it encourages a vote for or against a candidate rather than encouraging the reader to take some other action. Id.

With this standard in mind, we discuss separately below each communication provided, to determine whether it needed a disclaimer.

C. The Communications

1. Exhibit A

According to the complaint, approximately five weeks before the November 8, 1988 general election, the flyer attached as Exhibit A was delivered to a printer by a representative of the Bacon campaign who specifically sought to hide the campaign's involvement with the flyer. The flyer attacks Mel Hancock, mentioning his name no less than seven times in the course of the four paragraph flyer. Specifically, it asserts that Hancock has changed his position on abortion "for political reasons only" (emphasis in original), and concludes in bold letters **"WILL HE FLIP-FLOP AGAIN?"** The flyer derides Hancock as "just one of those 'professional politicians who frequently changes his position based on expensive opinion polls.'" Finally, the flyer explicitly refers to the election campaign, highlighting that "Mel Hancock was never endorsed by the Missouri Right to Life Committee during the primary!" Instead, "[o]nly Dennis Smith, Gary Nodler [both Republican primary candidates defeated by Mel Hancock], and Max Bacon received the Primary Election endorsement."

While this flyer does discuss the abortion issue, it cannot be characterized as merely issue advocacy. Rather, its plain

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focus is a harsh attack on Mel Hancock, at that time the Republican candidate for Missouri's Seventh Congressional District House seat. The flyer makes clear the intended target is Hancock's candidacy by referring to him as a "professional politician[]" and explicitly charging he changed a campaign position "for political reasons only." Moreover, it explicitly refers to campaign endorsements, and that "Hancock was never endorsed" Although an exhortation to vote against Hancock is found in no specific words in the flyer, taken as a whole, and in the context of the ongoing campaign, it is "unambiguously related to the campaign of a particular federal candidate," Buckley v. Valeo, 424 U.S. 1, 80 (1976), and, this Office concludes, is "susceptible of no other reasonable interpretation but as an exhortation to vote . . . against a specific candidate." FEC v. Furgatch, 807 F.2d 857, 864 (9th Cir. 1987), cert. denied, 108 S. Ct. 151 (1987). It thus appears that Exhibit A required a disclaimer.

The complaint alleges that the Committee was responsible for distributing Exhibit A. If that is correct, the Committee may be liable for the lack of a disclaimer. In the response to the complaint, Max Bacon states, "I do not believe that any of these flyers were paid for by, distributed by or authorized by myself, Bill Compere, or the . . . Committee." The response, however, does not indicate that Mr. Bacon attempted to check with any person in his campaign about the campaign's potential involvement with the flyer. Accordingly, on the basis of the evidence

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presently available, it appears that the Committee and its treasurer may have violated the Act.

2. Exhibit B

Exhibit B asserts that Mel Hancock will tax social security, and contains quotes attributed to Mr. Hancock. The flyer concludes, "Mel Hancock is trying to back away from his own words, but there is no doubt that he wants to get rid of your social security tax exemptions. If Mel is elected and if he gets his way, a loss of your exemptions on social security would mean higher taxes."

Although Exhibit B contains no imperative verb exhorting the reader to take action, the flyer does warn of allegedly undesirable consequences "[i]f Mel is elected." That statement, published during the context of an election campaign as alleged in the complaint, appears to present a clear and unmistakable plea to the reader to prevent the candidate from being elected. Upon consideration of all external factors, the words in Exhibit B appear to be the equivalent of an exhortation to "vote against Mel." Such speech would fall squarely within the meaning of express advocacy requiring a disclaimer.

The complaint alleges that the Committee distributed Exhibit B. As with Exhibit A, Max Bacon does not rule out the Committee's potential involvement with Exhibit B. Accordingly, it appears that the Committee and its treasurer may have violated the Act.

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3. Exhibit C

Exhibit C is titled "MEL HANCOCK WILL LOWER THE MINIMUM WAGE!" The most prominent feature of Exhibit C is a circle with a slash through it superimposed over an identified photograph of Mel Hancock. The flyer also states that "Hancock, who is running for Congress here in southwest Missouri, wants to reduce the pay of people who earn minimum wage."

Although Exhibit C does not contain an express verbal call to action, the circle with a slash through it speaks louder than words, imparting a message such as "No," "Down with," or "Oppose." The timing of the campaign flyer and its explicit reference to the election indicate that the flyer's unmistakable exhortation to the reader is to oppose Mel Hancock by voting against him in the upcoming election. Accordingly, it appears the flyer required a disclaimer.

As with Exhibits A and B, the complaint alleges Exhibit C was distributed by the Committee. Again, in his response Max Bacon does not rule out the Committee's potential involvement with the flyer. Accordingly, on the basis of the available evidence, it appears that the Committee and its treasurer may have violated the Act.

4. Exhibit D

This two-sided flyer contains a number of statements detrimental to Mel Hancock or favorable to Max Bacon. In particular, on page one the flyer refers to a "position that Hancock has advocated during the present Congressional

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campaign . . .", and asserts that "such a plan would kill your home mortgage exemption and your dependent deductions, to name just two." Page two of the flyer, entitled "THINGS YOU SHOULD KNOW ABOUT MEL HANCOCK," states:

MEL HANCOCK DID NOT GET ANY OF THE MAJOR SW MISSOURI FARM ENDORSEMENTS . . . AN AMAZING FAILURE FOR A GOP CANDIDATE.

The Farm Bureau endorsed Hancock's opponent Max Bacon.

ADEPT, the education arm of Mid-America Dairy here in Springfield gave financial support to Bacon but not to Hancock.

The education arm of the National REA also gave financial support to Bacon and not to Hancock.

MEL HANCOCK IS CONSTANTLY BREAKING PROMISES.

This flyer explicitly refers to political endorsements and financial support regarding both Mel Hancock and Max Bacon. It expressly mentions "the present Congressional campaign" while asserting that Hancock's positions would kill the reader's home mortgage. Because the reader is informed that, in the context of an upcoming election, candidate Hancock espouses harmful policies and is also constantly breaking his promises, the unmistakable conclusion is that the reader should vote against Hancock. A call to action need not be stated in specific words, but exists if its message is inescapably obvious to any voter reading the communication. Here, Exhibit D is "susceptible of no other reasonable interpretation," Furgatch, 807 F.2d at 864, than

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as an exhortation to vote against Hancock. As such, Exhibit D appears to have required a disclaimer.

As with Exhibits A, B, and C, the complaint alleges that the Committee distributed Exhibit D, and Max Bacon does not rule out the Committee's potential involvement. Accordingly, the Committee and its treasurer may have violated the Act.

5. Exhibit E, First Photograph

The first picture in Exhibit E is of a wooden sign containing the words, "BACON US CONGRESS," and what appears to be a drawing of a donkey. The sign does not state who paid for or authorized it.

This sign unambiguously advocates the election of Mr. Bacon. See Buckley v. Valeo, 424 U.S. 1, 44, n.52 (1976) (listing "Smith for Congress" as an example of express advocacy); see also 11 C.F.R. § 109.1(b)(2). Moreover, express advocacy in "outdoor advertising" is a medium of general public political advertising specifically listed as requiring a disclaimer, with "billboards" requiring the disclaimer on their front face. See 11 C.F.R. § 110.11(a)(1).

In his response, Max Bacon states that the Committee's volunteers painted and erected approximately 100 such signs, each of which contained the statement, "Paid for by Max Bacon for Congress Committee." It was the respondents' "intention" that every one of the signs made by the Committee's volunteers contain the disclaimer, but, "[i]n addition a number of people around the

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District painted signs of their own, following our design, which they then erected. This was often done without our knowledge or authorization (although we did not object to this being done)."

Mr. Bacon indicates he cannot determine on the basis of the photograph in Exhibit E the location of that sign or whether Committee volunteers painted and erected it. Mr. Bacon leaves open the possibility, however, that the Committee's volunteers made signs, in addition to the 100 mentioned above, that, despite intentions, did not contain a disclaimer. The complaint alleges that "many" signs contained no disclaimer, and that the pictures in Exhibit E are merely "examples." The response does not indicate that Mr. Bacon attempted to check with any person in his campaign to determine whether all signs contained a disclaimer. Accordingly, on the basis of the available evidence, it appears that the Committee and its treasurer may have violated the Act.

6. Exhibit E, Second Photograph

The second picture in Exhibit E is of a trailer with the words "BACON DEMOCRAT US CONGRESS" painted on the side. Again, the photograph seems to depict a message in a medium requiring a disclaimer.

Max Bacon states that the trailer was owned by friends of his who used it for storage and loaned it to the Committee for use as a sign. Mr. Bacon and some volunteers painted the trailer with paint Mr. Bacon found in his garage. He in effect argues that because no money was spent on the sign, he made no "expenditure," 2 U.S.C. § 441d(a), subject to the disclaimer

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requirement. That reasoning, however, is faulty. The Act defines "expenditure" as "anything of value, made by any person for the purpose of influencing any election for Federal Office." 2 U.S.C. § 431(9)(A)(i). Donations of a trailer and paint are things of value, and constitute in-kind contributions to the Committee and expenditures by the Committee. Moreover, a candidate who receives a contribution or makes a disbursement in connection with his campaign is considered to do so as an agent of his authorized committee. 2 U.S.C. § 432(e)(2). Accordingly, it appears that the sign at issue required a disclaimer.*/

In accordance with the foregoing discussions, this Office recommends that the Commission find reason to believe the Committee and William R. Compere, CPA, as treasurer, violated 2 U.S.C. § 441d(a).

D. The Candidate

Whenever any person makes an expenditure for the purpose of financing a communication expressly advocating the election of a clearly identified candidate, such communication, if paid for and authorized by a candidate, an authorized political committee of a candidate, or its agents, must clearly state that the communication was paid for by such authorized political committee. 2 U.S.C. § 441d(a)(1).

*/ It is not clear whether the Committee reported use of the trailer as an in-kind contribution. Although the Committee's reports do disclose in-kind contributions "for rent," it is unclear whether any of those contributions refer to the rental value of the trailer; moreover, it is not known whether the value of the trailer was even large enough to require itemization. The attached discovery requests inquire about this issue.

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The sign in the second photograph in Exhibit E, which contains no disclaimer, was essentially paid for by both the candidate and his authorized committee. Max Bacon provided the paint, and the Committee provided the trailer. Pursuant to the Act, whenever a candidate pays for an express advocacy communication, it must state it was paid for by the candidate's authorized committee. Because the candidate himself was personally involved in the decision not to include the disclaimer and paid for the sign in part, this Office recommends that the Commission find reason to believe Max Bacon violated 2 U.S.C. § 441d(a).

III. RECOMMENDATIONS

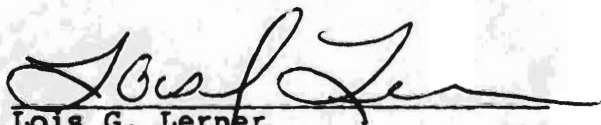
1. Find reason to believe Max Bacon for Congress Committee and William R. Compere, CPA, as treasurer, violated 2 U.S.C. § 441d(a).
2. Find reason to believe Max Bacon violated 2 U.S.C. § 441d(a).
3. Approve the attached discovery requests.
4. Approve the attached Factual and Legal Analysis.
5. Approve and send the attached letter.

Lawrence M. Noble
General Counsel

Date

6/15/88

BY:


Lois G. Lerner
Associate General Counsel

Attachments

1. Response to Complaint
2. Copies of Communications
3. Discovery Requests
4. Factual and Legal Analysis
5. Letter

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/JOSHUA MCFADDEN
COMMISSION SECRETARY

DATE: JUNE 22, 1989

SUBJECT: OBJECTION TO MUR 2784 - FIRST GENERAL COUNSEL'S REPORT
SIGNED JUNE 15, 1989

The above-captioned document was circulated to the
Commission on Monday, June 19, 1989 at 11:00 a.m..

Objection(s) have been received from the Commissioner(s)
as indicated by the name(s) checked below:

Commissioner Aikens	_____
Commissioner Elliott	_____ X _____
Commissioner Josefiak	_____
Commissioner McDonald	_____
Commissioner McGarry	_____
Commissioner Thomas	_____

This matter will be placed on the meeting agenda
for June 27, 1989.

Please notify us who will represent your Division before the
Commission on this matter.

315403323325

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Max Bacon for Congress Committee)
and William R. Compere, CPA,) MUR 2784
as treasurer)
Max Bacon)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the
Federal Election Commission executive session of June 27,
1989, do hereby certify that the Commission decided by a
vote of 6-0 to take the following actions in MUR 2784:

1. Find reason to believe Max Bacon for
Congress Committee and William R. Compere,
CPA, as treasurer, violated 2 U.S.C.
§ 441d(a).
2. Find reason to believe Max Bacon violated
2 U.S.C. § 441d(a).
3. Approve the discovery requests as recommended
in the General Counsel's report dated June 15,
1989.
4. Approve the Factual and Legal Analysis
attached to the General Counsel's report
dated June 15, 1989.
5. Approve and send the letter attached to the
General Counsel's report dated June 15, 1989.

(continued)

Federal Election Commission
Certification for MUR 2784
June 27, 1989

Page 2

6. Direct the Office of General Counsel to send a letter to the complainant asking for as much detail as possible about Exhibit A attached to the General Counsel's report dated June 15, 1989.

Commissioners Aikens, Elliott, Josefiak, McDonald, McGarry, and Thomas voted affirmatively for the decision.

Attest:

6-29-89

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 11, 1989

Mr. Jean Paul Bradshaw, II
Chairman, Greene County Republican
Central Committee of Missouri
P.O. Box 10327
Springfield, Missouri 65808

RE: MUR 2784

Dear Mr. Bradshaw:

On November 14, 1988 you filed a complaint with the Commission concerning communications detrimental to Mel Hancock or beneficial to Max Bacon. The Commission has numbered this matter MUR 2784.

In order to assist the Commission with its investigation of this matter, please provide the Office of the General Counsel with all information you have concerning the flyer you labeled Exhibit A. To the extent you know the answers, your response should include, but should not be limited to, the following: the name of the man believed to be the manager of the Max Bacon for Congress Committee; the address and telephone number of the PIP Printers at which this person allegedly had Exhibit A printed; the names, addresses, and telephone numbers of all employees of the print shop to whom this person allegedly gave his instructions; the names, addresses, and phone numbers of all persons who witnessed that conversation, as well as the exact words spoken during that conversation; the number of flyers printed and the number distributed; the cost of printing the flyers; and the name, address, and telephone number of the person who told you about the instructions the alleged campaign manager gave the printer, and the source of that person's information.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

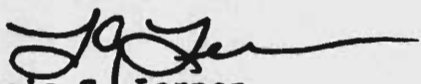
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Jean Paul Bradshaw
Page 2

If you have any questions, please contact Robert Raich, the attorney handling this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel


BY: Lois G. Lerner
Associate General Counsel

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 11, 1989

Mr. Max Bacon
3531 East Whitehall
Springfield, Missouri 65804

RE: MUR 2784
Max Bacon for Congress
Committee and William R.
Compere, CPA, as treasurer
Max Bacon

Dear Mr. Bacon:

On November 21, 1988, the Federal Election Commission notified Max Bacon for Congress Committee and William R. Compere, CPA, as treasurer, (the "Committee") and you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint was forwarded to the Committee and you at that time.

Upon further review of the allegations contained in the complaint, and information supplied by you, the Commission, on June 27, 1989, found that there is reason to believe the Committee and you violated 2 U.S.C. § 441d(a), a provision of the Act. The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against the Committee and you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office along with answers to the enclosed questions within 15 days of receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against the Committee and you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be

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Max Bacon
Page 2

pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you have any questions, please contact Robert Raich, the attorney handling this matter, at (202) 376-8200.

Sincerely,


Danny L. McDonald
Chairman

Enclosures
Interrogatories
Designation of Counsel Form
Factual and Legal Analysis

21040323901

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

) MUR 2784
)

INTERROGATORIES

TO: William R. Compere, CPA, Treasurer
Max Bacon for Congress Committee
c/o Max Bacon
3531 East Whitehall
Springfield, Missouri 65804

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 15 days after your receipt of this request. Submit such answers to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463.

INSTRUCTIONS

In answering these Interrogatories, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by, or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently. No answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary, or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

These Interrogatories are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

DEFINITIONS

For the purpose of these Interrogatories, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean Max Bacon for Congress Committee, including all officers, employees, volunteers, agents, or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Identify" with respect to a natural person shall mean state the full name, the most recent business and residence addresses and telephone numbers, the present occupation or position of such person, and the nature of the connection or association that person has to any party in this proceeding. "Identify" with respect to a person who is not a natural person shall mean provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these Interrogatories any information, documents, and materials that may otherwise be construed to be out of their scope.

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QUESTIONS

1. Separately with regard to each of the attached exhibits, identify all persons who paid for and authorized that communication.

2. If you do not identify the persons who paid for and authorized each of the attached exhibits, then: a) Identify all printing companies, copy shops, and other such vendors who provided services to you, and identify the individuals with whom you dealt at such vendors; and b) Identify all of your officers, employees, and agents.

3. Separately with regard to each of the attached exhibits, state: the number printed, the number distributed, the methods of distribution, the places of distribution, and the total cost of that communication.

4. a. Identify the person who owned the trailer you used as a sign.

b. State the value of your use of that trailer.

c. State whether you disclosed your use of that trailer as an in-kind contribution; and if so, state the report and manner in which you disclosed it.

5. Identify all persons who painted signs on your behalf.

6. Identify the natural person answering these questions and all persons who provided any information used in answering these questions.

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Max Bacon for Congress Committee **MUR:** 2784
 and William R. Compere, CPA,
 as treasurer
 Max Bacon

This matter is the result of a complaint against Max Bacon for Congress Committee (the "Committee") and William R. Compere, CPA, as treasurer, and Max Bacon. Mr. Bacon has responded on behalf of all respondents

A. The Committee

The complaint provides copies of four flyers and photographs of two signs that do not contain disclaimers (Exhibits A-E). The complaint asserts the flyers advocated the defeat of Max Bacon's clearly identified opponent, Mel Hancock. The complaint further alleges that with respect to one flyer (Exhibit A), the man believed to be the manager of the Committee specifically instructed a printer not to print any message revealing the campaign's involvement with the flyer.

1. The Law

Whenever any person makes an expenditure for the purpose of financing a communication expressly advocating the election or defeat of a clearly identified candidate, such communication must include a disclaimer concerning who paid for and authorized the communication. 2 U.S.C. § 441d(a). It is apparent that the communications in question referred to clearly identified candidates, to wit Mel Hancock and Max Bacon. To determine whether the communications required disclaimers, it is thus

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necessary to decide whether the communications "expressly advocated election or defeat" of those candidates.

To be "express advocacy" under the Act, speech must, when read as a whole and with limited reference to external events, be susceptible of no other reasonable interpretation but an exhortation to vote for or against a specific candidate. FEC v. Furgatch, 807 F.2d 857 (9th Cir. 1987), cert. denied, 98 L. Ed. 106 (1987). The Furgatch court broke that standard into three components. First, speech is "express" if its message is unmistakable and unambiguous, suggestive of only one plausible meaning. Second, speech is "advocacy" only if it presents a clear plea for action, and is not merely informative. Finally, speech is "express advocacy for the election or defeat of a clearly identified candidate" only when it is clear what action is advocated, i.e. that it encourages a vote for or against a candidate rather than encouraging the reader to take some other action. Id.

With this standard in mind, we discuss separately below each communication provided, to determine whether it needed a disclaimer.

2. Exhibit A

According to the complaint, approximately five weeks before the November 8, 1988 general election, the flyer attached as Exhibit A was delivered to a printer by a representative of the Bacon campaign who specifically sought to hide the campaign's involvement with the flyer. The flyer attacks Mel Hancock,

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mentioning his name no less than seven times in the course of the four paragraph flyer. Specifically, it asserts that Hancock has changed his position on abortion "for political reasons only" (emphasis in original), and concludes in bold letters "WILL HE FLIP-FLOP AGAIN?" The flyer derides Hancock as "just one of those 'professional politicians who frequently changes his position based on expensive opinion polls.'" Finally, the flyer explicitly refers to the election campaign, highlighting that "Mel Hancock was never endorsed by the Missouri Right to Life Committee during the primary!" Instead, "[o]nly Dennis Smith, Gary Nodler [both Republican primary candidates defeated by Mel Hancock], and Max Bacon received the Primary Election endorsement."

While this flyer does discuss the abortion issue, it cannot be characterized as merely issue advocacy. Rather, its plain focus is a harsh attack on Mel Hancock, at that time the Republican candidate for Missouri's Seventh Congressional District House seat. The flyer makes clear the intended target is Hancock's candidacy by referring to him as a "professional politician[]" and explicitly charging he changed a campaign position "for political reasons only." Moreover, it explicitly

refers to campaign endorsements, and that "Hancock was never endorsed" Although an exhortation to vote against Hancock is found in no specific words in the flyer, taken as a whole, and in the context of the ongoing campaign, it is "unambiguously related to the campaign of a particular federal candidate," Buckley v. Valeo, 424 U.S. 1, 80 (1976), and, the Commission concludes, is "susceptible of no other reasonable interpretation but as an exhortation to vote . . . against a specific candidate." FEC v. Furgatch, 807 F.2d 857, 864 (9th Cir. 1987), cert. denied, 108 S. Ct. 151 (1987). It thus appears that Exhibit A required a disclaimer.

The complaint alleges that the Committee was responsible for distributing Exhibit A. If that is correct, the Committee may be liable for the lack of a disclaimer. In the response to the complaint, Max Bacon states, "I do not believe that any of these flyers were paid for by, distributed by or authorized by myself, Bill Compere, or the . . . Committee." The response, however, does not indicate that Mr. Bacon attempted to check with any person in his campaign about the campaign's potential involvement with the flyer. Accordingly, on the basis of the evidence presently available, it appears that the Committee and its treasurer may have violated the Act.

3. Exhibit B

Exhibit B asserts that Mel Hancock will tax social security, and contains quotes attributed to Mr. Hancock. The flyer concludes, "Mel Hancock is trying to back away from his own

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words, but there is no doubt that he wants to get rid of your social security tax exemptions. If Mel is elected and if he gets his way, a loss of your exemptions on social security would mean higher taxes."

Although Exhibit B contains no imperative verb exhorting the reader to take action, the flyer does warn of allegedly undesirable consequences "[i]f Mel is elected." That statement, published during the context of an election campaign as alleged in the complaint, appears to present a clear and unmistakable plea to the reader to prevent the candidate from being elected. Upon consideration of all external factors, the words in Exhibit B appear to be the equivalent of an exhortation to "vote against Mel." Such speech would fall squarely within the meaning of express advocacy requiring a disclaimer.

The complaint alleges that the Committee was responsible for distributing Exhibit B. As with Exhibit A, Max Bacon does not rule out the committee's potential involvement with Exhibit B. Accordingly, it appears that the Committee and its treasurer may have violated the Act.

4. Exhibit C

Exhibit C is titled "MEL HANCOCK WILL LOWER THE MINIMUM WAGE!" The most prominent feature of Exhibit C is a circle with a slash through it superimposed over an identified photograph of Mel Hancock. The flyer also states that "Hancock, who is running for Congress here in southwest Missouri, wants to reduce the pay of people who earn minimum wage."

Although Exhibit C does not contain an express verbal call to action, the circle with a slash through it speaks louder than words, imparting a message such as "No," "Down with," or "Oppose." The timing of the campaign flyer and its explicit reference to the election indicate that the flyer's unmistakable exhortation to the reader is to oppose Mel Hancock by voting against him in the upcoming election. Accordingly, it appears the flyer required a disclaimer.

As with Exhibits A and B, the complaint alleges Exhibit C was distributed by the Committee. Again, in his response Max Bacon does not rule out the Committee's potential involvement with the flyer. Accordingly, on the basis of the available evidence, it appears that the Committee and its treasurer may have violated the Act.

5. Exhibit D

This two-sided flyer contains a number of statements detrimental to Mel Hancock or favorable to Max Bacon. In particular, on page one the flyer refers to a "position that Hancock has advocated during the present Congressional campaign", and asserts that "such a plan would kill your home mortgage exemption and your dependent deductions, to name just two." Page two of the flyer, entitled "THINGS YOU SHOULD KNOW ABOUT MEL HANCOCK," states:

MEL HANCOCK DID NOT GET ANY OF THE MAJOR SW
MISSOURI FARM ENDORSEMENTS . . . AN AMAZING
FAILURE FOR A GOP CANDIDATE.

The Farm Bureau endorsed Hancock's opponent
Max Bacon.

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ADEPT, the education arm of Mid-America Dairy here in Springfield gave financial support to Bacon but not to Hancock.

- The education arm of the National REA also gave financial support to Bacon and not to Hancock.

MEL HANCOCK IS CONSTANTLY BREAKING PROMISES.

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This flyer explicitly refers to political endorsements and financial support regarding both Mel Hancock and Max Bacon. It expressly mentions "the present Congressional campaign" while asserting that Hancock's positions would kill the reader's home mortgage. Because the reader is informed that, in the context of an upcoming election, candidate Hancock espouses harmful policies and is also constantly breaking his promises, the unmistakable conclusion is that the reader should vote against Hancock. A call to action need not be stated in specific words, but exists if its message is inescapably obvious to any voter reading the communication. Here, Exhibit D is "susceptible of no other reasonable interpretation," Furgatch, 807 P.2d at 864, than as an exhortation to vote against Hancock. As such, Exhibit D appears to have required a disclaimer.

As with Exhibits A, B, and C, the complaint alleges that the Committee distributed Exhibit D, and Max Bacon does not rule out the Committee's potential involvement. Accordingly, the Committee and its treasurer may have violated the Act.

6. Exhibit E, First Photograph

The first picture in Exhibit E is of a wooden sign containing the words, "BACON US CONGRESS," and what appears to be

a drawing of a donkey. The sign does not state who paid for or authorized it.

This sign unambiguously advocates the election of Mr. Bacon. See Buckley v. Valeo, 424 U.S. 1, 44, n.52 (1976) (listing "Smith for Congress" as an example of express advocacy); see also 11 C.F.R. § 109.1(b)(2). Moreover, express advocacy in "outdoor advertising" is a medium of general public political advertising specifically listed as requiring a disclaimer, with "billboards" requiring the disclaimer on their front face. See 11 C.F.R. § 110.11(a)(1).

In his response, Max Bacon states that the Committee's volunteers painted and erected approximately 100 such signs, each of which contained the statement, "Paid for by Max Bacon for Congress Committee." It was the respondents' intention that every one of the signs made by the Committee's volunteers contain the disclaimer, but, "[i]n addition a number of people around the District painted signs of their own, following our design, which they then erected. This was often done without our knowledge or authorization (although we did not object to this being done)." Mr. Bacon indicates he cannot determine on the basis of the photograph in Exhibit E the location of that sign or whether Committee volunteers painted and erected it. Mr. Bacon leaves open the possibility, however, that the Committee's volunteers made signs, in addition to the 100 mentioned above, that, despite intentions, did not contain a disclaimer. The complaint alleges

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that "many" signs contained no disclaimer, and that the pictures in Exhibit E are merely "examples." The response does not indicate that Mr. Bacon attempted to check with any person in his campaign to determine whether all signs contained a disclaimer. Accordingly, on the basis of the available evidence, it appears that the Committee and its treasurer may have violated the Act.

7. Exhibit E, Second Photograph

The second picture in Exhibit E is of a trailer with the words "BACON DEMOCRAT US CONGRESS" painted on the side. Again, the photograph seems to depict a message in a medium requiring a disclaimer.

Max Bacon states that the trailer was owned by friends of his who used it for storage and loaned it to the Committee for use as a sign. Mr. Bacon and some volunteers painted the trailer with paint Mr. Bacon found in his garage. He in effect argues that because no money was spent on the sign, he made no "expenditure," 2 U.S.C. § 441d(a), subject to the disclaimer requirement. That reasoning, however, is faulty. The Act defines "expenditure" as "anything of value, made by any person for the purpose of influencing any election for Federal Office." 2 U.S.C. § 431(9)(A)(i). Donations of a trailer and paint are things of value, and constitute in-kind contributions to the Committee and expenditures by the Committee. Moreover, a candidate who receives a contribution or makes a disbursement in connection with his campaign is considered to do so as an agent of his authorized committee. 2 U.S.C. § 432(e)(2). Accordingly,

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it appears that the sign at issue required a disclaimer.*/

In accordance with the foregoing discussions, there is reason to believe the Committee and William R. Compere, CPA, as treasurer, violated 2 U.S.C. § 441d(a).

B. The Candidate

Whenever any person makes an expenditure for the purpose of financing a communication expressly advocating the election of a clearly identified candidate, such communication, if paid for and authorized by a candidate, an authorized political committee of a candidate, or its agents, must clearly state that the communication was paid for by such authorized political committee. 2 U.S.C. § 441d(a)(1).

The sign in the second photograph in Exhibit E, which contains no disclaimer, was essentially paid for by both the candidate and his authorized committee. Max Bacon provided the paint, and the Committee provided the trailer. Pursuant to the Act, whenever a candidate pays for an express advocacy communication, it must state it was paid for by the candidate's authorized committee. Because the candidate himself was personally involved in the decision not to include the disclaimer and paid for the sign in part, there is reason to believe Max Bacon violated 2 U.S.C. § 441d(a).

*/ It is not clear whether the Committee reported use of the trailer as an in-kind contribution. Although the Committee's reports do disclose in-kind contributions "for rent," it is unclear whether any of those contributions refer to the rental value of the trailer; moreover, it is not known whether the value of the trailer was even large enough to require itemization.

21040323914

OGC 5497

RECEIVED
GENERAL ELECTION COMMISSION
Voting Room

STATEMENT OF DESIGNATION OF COUNSEL

20 JUL 21 1989

MUR 2784

NAME OF COUNSEL: Rob Aiken, Attorney at Law

ADDRESS: 300 John Q. Hammons Parkway, Suite 603
Springfield, Missouri 65806

TELEPHONE: (417) 831-1510

RECEIVED
GENERAL ELECTION COMMISSION
Voting Room
20 JUL 21 1989

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

July 17, 1989
Date

Max E. Bacon
Signature

RESPONDENT'S NAME: Max Bacon

ADDRESS: 3531 East Whitehall
Springfield, Missouri 65804

HOME PHONE: (417) 887-8600

BUSINESS PHONE: (417) 831-1510

21040323915

Law Office of
ROB AIKEN
800 John Q. Hammons Parkway
Suite 608
Springfield, Missouri 65806
Telephone: (417) 831-1510

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
JUL 31 1989

July 25, 1989

Danny L. McDonald
Federal Election Commission
999 E Street, N.W.
Washington, D. C. 20463

Re: MUR 2784

Dear Mr. McDonald:

In reference to your letter of July 11th, 1989, and the interrogatories attached thereto. I would request a continuance for a period of twenty (20) days from the date the response was due for the reason that I need additional time to collect the information which you are requesting.

Please advise me telephonically at your earliest convenience as to whether or not this request for continuance will be granted.

Yours very truly,


Rob Aiken

RA/ah

91040323916



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 2, 1989

Rob Aiken, Esquire
300 John Q. Hammons Parkway, Suite 603
Springfield, Missouri 65806

RE: MUR 2784
Max Bacon for Congress
Committee and William R.
Compere, CPA, as treasurer
Max Bacon

Dear Mr. Aiken:

This is in response to your letter dated July 25, 1989, which we received on July 31, requesting an extension of 20 days to respond to Interrogatories in this matter. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on August 21, 1989.

If you have any questions, please contact Robert Raich, the attorney handling this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

By: 
Lois G. Lerner
Associate General Counsel

21040323917

89 AUG 21 AM 11:34

BEFORE THE FEDERAL COMMISSION

In the Matter of

) MUR 2784
)**ANSWERS TO INTERROGATORIES**
SEPARATE ANSWERS OF TOM MOUNTJOY, INDIVIDUALLY

COMES NOW Tom Mountjoy, individually and for his answers to the interrogatories propounded by the general counsel, Federal Election Commission, states as follows:

1. Separately with regard to each of the attached exhibits, identify all persons who paid for and authorized that communication.

ANSWER:

I am not aware of the identity of any person who authorized or paid for the attached exhibits. I never observed the exhibits during the course of the campaign either at headquarters or anywhere else. The first time I saw the exhibits were when they were provided to me for the purpose of answering these interrogatories.

2. If you do not identify the person who paid for and authorized each of the attached exhibits, then: a) Identify all printing companies, copy shops, and other such vendors who provided services to you, and identify the individuals with who you dealt at such vendors; and b) Identify all of your officers, employees, and agents.

ANSWER:

2 a). As campaign chairman I had no dealings with the printers, or with the printing companies who did printing for the campaign.

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 AUG 21 PM 3:54

21040323218

b). The officers of the Campaign Committee were as follows: myself, Tom Mountjoy, Campaign Chairman, Greene County Prosecuting Attorney, Greene County Courthouse, Springfield, Missouri 65802, phone number 417-868-4061; William Compere, Campaign Treasurer, 1200 East Woodhurst Drive, Springfield, Missouri 65804, phone number 417-887-5323. The employees of the campaign were: Gary Edwards, Campaign Manager, now resides in Jefferson City, Missouri; Phil Carpenter, employed as a fund raiser, now resides in Branson, Missouri; and Rita VanWinkle who was in charge of the Joplin Campaign Headquarters.

3. Separately with regard to each of the attached exhibits, state: the number printed, the number distributed, the methods of distribution, the places of distribution, and the total cost of that communication.

ANSWER:

Unknown.

4 a) Identify the person who owned the trailer you used as a sign.

b) State the value of your use of that trailer.

c) State whether you disclosed your use of that trailer as an in-kind contribution; and if so, state the report and manner in which you disclosed it.

ANSWER:

a) Unknown.

b) Unknown.

c) Unknown.

5. Identify all persons who painted signs on your behalf.

91040823219

ANSWER:

The identity of all persons who painted signs are unknown to me as I was not in charge of the sign crew.

6. Identify the natural person answering these questions and all persons who provided any information used in answering these questions.

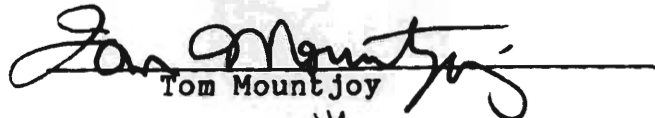
ANSWER:

Tom Mountjoy, Greene County Prosecutor's Office, Greene County Courthouse, Springfield, Missouri 65802.

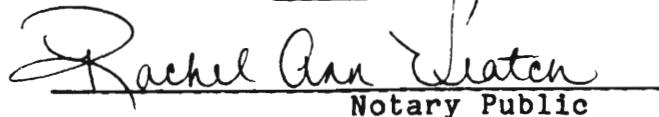

Tom Mountjoy

STATE OF MISSOURI)
) ss.
COUNTY OF GREENE)

TOM MOUNTJOY, being duly sworn, deposes and says that he has read the foregoing answers to interrogatories and knows the contents thereof, and that the same are true and correct to the best of his knowledge, information and belief.


Tom Mountjoy

Subscribed and sworn to before me this 18th day of August, 1989.


Notary Public

My commission expires:

RACHEL ANN VEATCH, NOTARY PUBLIC
GREENE COUNTY, STATE OF MISSOURI
MY COMMISSION EXPIRES 5/5/91

21040323920

BEFORE THE FEDERAL COMMISSION

In the Matter of

) MUR 2784
)

ANSWERS TO INTERROGATORIES
SEPARATE ANSWERS OF WILLIAM COMPERE, INDIVIDUALLY

COMES NOW William Compere, individually and for his answers to the interrogatories propounded by the general counsel, Federal Election Commission, states as follows:

1. Separately with regard to each of the attached exhibits, identify all persons who paid for and authorized that communication.

ANSWER:

I am not aware of the identity of any person or persons who paid for the printing in the attached exhibits. I have no knowledge concerning whether or not anyone authorized said printing of the attached exhibits.

2. If you do not identify the person who paid for and authorized each of the attached exhibits, then: a) Identify all printing companies, copy shops, and other such vendors who provided services to you, and identify the individuals with who you dealt at such vendors; and b) Identify all of your officers, employees, and agents.

ANSWER:

2 a). As Campaign Treasurer I did not have any direct dealing with the printers. However, based on the campaign reports, I believe the following printers were used: Moore Printing, 610 North Jefferson, Springfield, Missouri; Master

21040323921

Printers, Inc., 450-L South Union, Springfield, Missouri; and Kinkos Copies, 942 South Glenstone, Springfield, Missouri 65804.

b) The officers of the Campaign Committee were as follows: Tom Mountjoy, Campaign Chairman, Greene County Prosecuting Attorney, Greene County Courthouse, Springfield, Missouri 65802, phone number 417-868-4061; myself, William Compere, Campaign Treasurer, 1200 East Woodhurst Drive, Springfield, Missouri 65804, phone number 417-887-5323. The employees of the campaign were: Gary Edwards, Campaign Manager, now resides in Jefferson City, Missouri; Phil Carpenter, employed as a fund raiser, now resides in Branson, Missouri; and Rita VanWinkle who was in charge of the Joplin Campaign Headquarters.

3. Separately with regard to each of the attached exhibits, state: the number printed, the number distributed, the methods of distribution, the places of distribution, and the total cost of that communication.

ANSWER:

Unknown.

4 a) Identify the person who owned the trailer you used as a sign.

b) State the value of your use of that trailer.

c) State whether you disclosed your use of that trailer as an in-kind contribution; and if so, state the report and manner in which you disclosed it.

ANSWER:

a) Unknown

b) Unknown

91040323922

c) I do not believe it was disclosed on the reports.

5. Identify all persons who painted signs on your behalf.

ANSWER:

Unknown

6. Identify the natural person answering these questions and all persons who provided any information used in answering these questions.

ANSWER:

William Compere, 1200 E. Woodhurst Drive, Springfield, Missouri 65804.

William R. Compere
William Compere

STATE OF MISSOURI)
) ss.
COUNTY OF GREENE)

WILLIAM COMPERE, being duly sworn, deposes and says that he has read the foregoing answers to interrogatories and knows the contents thereof, and that the same are true and correct to the best of his knowledge, information and belief.

William R. Compere
William Compere

Subscribed and sworn to before me this 18th day of August, 1989.

Janna Dampier
Notary Public

My commission expires: JANNA DAMPIER Notary Public
Greene County State of Missouri
My Commission Expires Aug. 25, 1992

OEC 3819

Law Office of
ROB AIKEN

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT

300 John Q. Hammons Parkway 89 AUG 21 PH 3:28
Suite 603
Springfield, Missouri 65806
Telephone: (417) 831-1510

August 16, 1989

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 AUG 21 PM 4:40

Mr. Danny L. McDonald
Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20463

Re: MUR 2784

Dear Mr. McDonald:

Enclosed please find Answers to Interrogatories, Separate Answers
of Max Bacon Individually for your file in the above-referenced
matter.

Yours very truly,


Rob Aiken

RA:ld

Enclosure

9134032324

BEFORE THE FEDERAL COMMISSION

In the Matter of

} MUR 2784

ANSWERS TO INTERROGATORIES

SEPARATE ANSWERS OF MAX BACON INDIVIDUALLY

COMES NOW Max Bacon, individually and for his answers to interrogatories propounded by the general counsel, Federal Election Commission, states as follows:

1. Separately with regard to each of the attached exhibits, identify all persons who paid for and authorized that communication.

ANSWER

I am not aware of the identify of any person or persons who paid for the printing of the attached exhibits. To my knowledge no one authorized the printing of the attached exhibits on behalf of the Max Bacon for Congress Campaign.

2. If you do not identify the persons who paid for and authorized each of the attached exhibits, then: a) Identify all printing companies, copy shops, and other such vendors who provided services to you, and identify the individuals with who you dealt at such vendors; and b) Identify all of your officers, employees, and agents.

ANSWER

2 (a. The bulk of the printing for the Max Bacon for Congress Campaign was done by Master Printers, Inc. 450-L South Union, Springfield, Missouri, phone number 417 862-6031. The individuals with whom the campaign dealt at Masters Printers were Virgil Murphy and Jean Murphy, who are the owners. And, they can be reached at the above

address and phone number. Additionally, from time to time during the campaign there were smaller printing jobs done by other printers. I am not aware of those companies or the individuals with whom the campaign dealt. I have asked my attorney, Mr. Rob Aiken, to check the records of the campaign committee to get those company names and individuals to be submitted in separate answers on behalf of the committee.

b). The officers of the Campaign Committee were as follows:

Tom Mountjoy, Campaign Chairman. He is the Prosecuting Attorney of Greene County Missouri and may be reached at the Greene County Court-house, 930 Boonville Avenue, Springfield, Missouri 65802, phone number 417 868-4061; Mr. William Compere, Campaign Treasurer, 1200 East Woodhurst Drive, Springfield, Missouri 65804, phone number 417 887-5323. The employees of the campaign were: Gary Edwards, Campaign Manager, now resides in Jefferson City, Missouri; Mr. Phil Carpenter, employed as a fund raiser, now resides in Branson, Missouri; and Rita VanWinkle who was in charge of the Joplin Campaign Headquarters.

3. Separately with regard to each of the attached exhibits, state: the number printed, the number distributed, the methods of distribution, the places of distribution, and the total cost of that communication.

ANSWER

Unknown.

4. a. Identify the person who owned the trailer you used as a sign.
- b. State the value of your use of that trailer.
- c. State whether you disclosed your use of that trailer as an in-kind contribution; and if so, state the report and manner in which you disclosed it.

ANSWER

- a. Dan Fortner, Route # 22, Springfield, Missouri 65803, phone number 417 833-0852.
- b. Unknown if any.
- c. It is my understanding that there was no contribution listed in our reports as the result of the use of the trailer.
5. Identify all persons who painted signs on your behalf.

ANSWER

Thomas B. Snodgrass, Route # 1, Springfield, Missouri 65803, phone number 417 833-0647; Lenora Kay Snodgrass, Route # 1, Springfield, Missouri 65803, phone number 417 833-0647; Morris K. Rose, 2613 West Jean Street, Springfield, Missouri 65803, phone number 417 866-7912; Richard Snodgrass, 821 Battlefield Road, Apartment 18, Springfield, Missouri 65807, phone number 417 886-4263; Rita Jenine Bacon, 3531 East Whitehall, Springfield, Missouri 65804, phone nubmer 417 887-8600; Richard Moore, Route 27, Springfield, Missouri 65803, phone number 417 833-1136 and Norma Moore, Route 27, Springfield, Missouri 65803, phone number 417 833-1136; Diane Jones, 821 Battlefield Road Apartment 18, Springfield, Missouri 65807, phone number 417 866-4263; Clark Bacon,

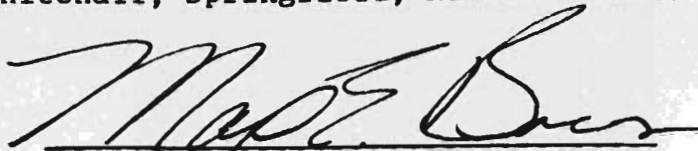
21040323927

2142 North Missouri, Springfield, Missouri, 65803, phone number 417
869-8961.

6. Identify the natural person answering these questions
and all persons who provided any information used in answering these
questions.

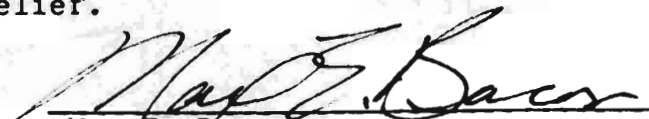
ANSWER

Max E. Bacon, 3531 East Whitehall, Springfield, Missouri 65809.


Max E. Bacon

STATE OF MISSOURI)
) ss.
COUNTY OF GREENE)

MAX E. BACON, being duly sworn, deposes and says that he has
read the foregoing answers to interrogatories and knows the
contents thereof, and that the same are true to the best of his
knowledge, information, and belief.


Max E. Bacon

Subscribed and sworn to before me this 15th day of August,
1989.


Notary Public

My commission expires:
LINDA DISHMAN Notary Public
Greene County State of Missouri
My Commission Expires Dec. 22, 1992

21040323928

Michael Baker

ATTORNEY AT LAW
1200 E. WOODHURST DRIVE
BLOS. A - SUITE 220
SPRINGFIELD, MISSOURI 65804

417-583-8200

August 28., 1989

Mr. Danny McDonald
Federal Election Commission
Fax No. 202-376-5280

RE: Max Bacon for Congress Committee, and
William R. Compere, CPA, Mur 2784

Dear Mr. McDonald:

I am forwarding herewith a statement of designation of counsel for the above-named committee and individual. I understand that your agency is due interrogatory answers. Since I have just entered my appearance in this matter I would request an additional 15 days to answer these interrogatories.

Very truly yours,


Michael Baker

21040329

STATEMENT OF DESIGNATION OF COUNSEL

MUR MUR: 2784

NAME OF COUNSEL: Michael Baker

ADDRESS: 1200 E. Woodhurst A-200
Springfield, Mo. 65804

TELEPHONE: 417/883-8200

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

August 28, 1980
Date

Max Bacon for Congress Committee

William R. Compera
Signature William R. Compera CPA
Treasurer

RESPONDENT'S NAME: Max Bacon for Congress Committee
and William R. Compera, CPA, Treasurer

ADDRESS: C/o Michael Baker, Attorney
1200 E. Woodhurst A-200
Springfield, Mo. 65804

HOME PHONE: 417-883-8200

BUSINESS PHONE: 417-883-8200

21040323930



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 1, 1989

Michael Baker, Esquire
1200 East Woodhurst Drive, Suite A-200
Springfield, Missouri 65804

RE: MUR 2784
Max Bacon for Congress
Committee and William R.
Compere, as treasurer

Dear Mr. Baker:

This is in response to your letter dated August 28, 1989, requesting an extension of 15 days to respond to the Commission's Interrogatories. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on September 12, 1989.

If you have any questions, please contact Robert Raich, the attorney handling this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

21040323931

OGC 4080

Michael Baker

ATTORNEY AT LAW
1200 E. WOODHURST DRIVE
BLDG. A - SUITE 200
SPRINGFIELD, MISSOURI 65804

417-883-8200

RECEIVED
FEDERAL ELECTION COMMISSION
RAIL ROOM

09 SEP 22 AM 9:23

September 13, 1989

Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20004

RE: MUR 2784
Max Bacon For Congress Committee
William R. Compere, Treasurer

Gentlemen:

Enclosed find the interrogatory answers of the Max Bacon For Congress Committee. I had verbally obtained a one day extension for the filing of the answers from Robert Raich on September 12, 1989.

Thank you very much for your co-operation.

Very truly yours,



Michael Baker
Attorney At Law

MB/tw

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
09 SEP 22 AM 11:05

91040323932

BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF

)
)
) MUR 2784

SEPARATE ANSWER OF
MAX BACON FOR CONGRESS COMMITTEE
TO INTERROGATORIES

- 3
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9
1. Separately with regard to each of the attached exhibits, identify all persons who paid for and authorized that communication.

ANSWER: After making inquiry of various members of the campaign committee it was determined that Gary Edwards, Campaign Manager, ordered the printing of Exhibit "A." However, neither the Treasurer nor the Campaign Chairman, had any knowledge of this nor did either one of them authorize its printing. The Campaign Committee paid for the printing of Exhibit "A", however, these were never distributed but were destroyed. If they would have been distributed a disclosure stamp would have been used to show who was paying for the item.

Exhibit B, C, and D: No one of the committee paid for or authorized the printing of these communications nor did anyone connected with the Committee distribute these with the knowledge or authorization of the Committee.

2. If you do not identify the persons who paid for and authorized each of the attached exhibits, then: a) Identify all printing companies, copy

shops, and other such vendor who provided services to you and identify the individuals with whom you dealt at such vendors; and b) Identify all of your officers, employees and agents.

ANSWERS: A. Master Printers, Inc., 450-L South Union, Springfield, Missouri, phone number 417-862-6031, Virgil Murphy and Jean Murphy. Moore Printing, 610 N. Jefferson, Springfield, MO phone number 417-866-6696. For tickets, P.I.P. Printers, 345 S. Jefferson, Springfield, MO, phone number 417-815-6651.

B. Tom Mountjoy - Campaign Chairman

930 Boonville Avenue
Springfield, MO 65802
417-868-4061

William Compere - Campaign Treasurer

1200 E. Woodhurst
Springfield, MO 65804
417-887-5323

Employees:

Gary Edwards, Campaign Manager
Jefferson City, MO

Phil Carpenter - Fund Raiser
Branson, MO

Rita Varwinele - ran Joplin Office
Joplin, MO

91040823934

3. Separately with regard to each of the attached exhibits state:
the number printed, number distributed, the method of distribution,
place of distribution and the total cost of that communication.

ANSWER: As to exhibit "A" it is not known the exact number Mr. Edwards had printed or the cost. None of these were distributed but were destroyed. If they would have been distributed a disclosure would have been stamped on them. No other exhibits were printed or distributed.

4. a. Identify the person who owned the trailer you used as a sign.
b. State the value of your use of that trailer.
c. State whether you disclosed your use of that trailer as an in-kind contribution; and IF so, state the report and manner in which you disclosed it.

ANSWER: a. Dan Fortner, Route #22, Springfield, MO 65803, phone number 417-833-0852.
b. Unknown if any.
c. It is my understanding that there was no contribution listed in our reports as the result of the use of the trailer.

5. Identify all persons who painted signs on your behalf.

ANSWER: Thomas B. Snodgrass, Rt. #1, Springfield, MO 65803, phone number 417-833-0647; Lenora Kay Snodgrass, Rt. #1, Springfield, MO 65803, phone number 417-833-0647; Morris K. Rose, 2613 W. Jean Street, Springfield, MO 65803, phone number 417-866-7912; Richard Snodgrass, 821 Battlefield Rd., Apartment 18, Springfield, MO 65807, phone number 417-886-4263; Rita Jenine Bacon, 3531 E.

210403323935

Whitehall, Springfield, MO 65804, phone number 417-887-8600;
Richard Moore, Rt. 27, Springfield, MO 65803, phone number 417-
833-1136 and Norma Moore, Rt. 27, Springfield, MO 65803, phone
number 417-833-1136; Diane Jones, 821 Battlefield Road, Apart-
ment 18, Springfield, MO 65804, phone number 417-866-4263; Clark
Bacon, 2142 North Missouri, Springfield, MO 65803, phone number
417-869-8961.

6. Identify the natural person answering these questions and all persons
who provided any information used in answering these questions.

ANSWER:

William Compere

Gary Edwards

Michael Baker

William Compere
William Compere

STATE OF MISSOURI)
COUNTY OF GREENE) ss.

WILLIAM COMPERE, first duly sworn states he has read the foregoing
answers and they are true according to his best knowledge, information and
belief.

William R Compere

Subscribed and sworn to before me this 13th day of September, 1989.

Katherine Bruffett
Notary Public

My commisison expires:

Katherine Bruffett Notary Public
Christian County State of Missouri
My Commission Expires Aug. 25, 1992

9104033936

06C4534

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

NOV 13 PM 2:16

NOV 13 PM 3:59

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

BEFORE THE FEDERAL ELECTION COMMISSION
IN THE MATTER OF MUR2784

SUPPLEMENTAL ANSWER OF MAX BACON FOR CONGRESS COMMITTEE
TO INTERROGATORIES;

The Max Bacon for Campaign Committee wishes to amend and supplement it's answer to interrogatory number 3 as follows:

After reviewing the financial records of the Campaign Committee, it was determined that the cost of Exhibit A was \$48.58. That there is a reimbursement check from the Campaign Committee to the office account of Mr. Gary Edwards, who was the campaign manager. All expenses over \$100.00 had to be paid through the Campaign Committee. Expenses under \$100.00 could be paid for by a petty cash fund from the office account. This was under the control of Mr. Gary Edwards. He then submitted a billing to the treasurer of the Campaign Committee for reimbursement. The only request for reimbursement which from the records resemble Exhibit A is the amount of \$48.58.



Michael Baker
Attorney at Law

91040323937



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 15, 1990

Michael Baker, Esquire
1200 East Woodhurst Drive, Suite A-200
Springfield, Missouri 65804

RE: MUR 2784
Max Bacon for Congress
Committee and William R.
Compere, as treasurer

Dear Mr. Baker:

On February 5, 1990, Max Bacon for Congress Committee (the "Committee") requested that the Federal Election Commission permit the Committee to terminate pursuant to 2 U.S.C. § 433(d) and Section 102.3 of the Commission's Regulations. Because of the ongoing enforcement matter involving the Committee, this request has been denied. Therefore, you are reminded that the Committee must continue to file all the required reports with the Commission until such time as the enforcement matter has been closed as to the Committee.

If you have any questions, please contact Robert Raich, the attorney handling this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

2104033938



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 23, 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Steve Moore
Moore Printing
610 N. Jefferson
Springfield, MO 65806

RE: MUR 2784

Dear Mr. Moore:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. This letter seeks certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

Please submit written answers under oath to the following question:

Separately with regard to each of the attached exhibits, state whether each was printed or copied in your shop in September to October, 1988. If so, state the date and identify who placed the order and describe the order placed.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order. However, please submit the information within 15 days of your receipt of this letter. All answers to questions must be submitted under oath.

91040323939

Steve Moore
Page 2

If you have any questions, please contact Mark Allen, the staff member assigned to this matter, at (800) 424-9530.

Sincerely,

Lawrence M. Noble
General Counsel

Lois G. Lerner

BY: Lois G. Lerner
Associate General Counsel

Enclosures

21040323940

ONLY A FEW YEARS AGO MEL HANCOCK WAS PRO-ABORTION

In 1984, Hancock changed his position, admitting that he once had a "tendency to lean toward pro-choice". (News-Leader, 10/12/84)

THE QUESTION IS: WHY DID HANCOCK FLIP-FLOP
ON THIS CRUCIAL ISSUE?

THE ANSWER IS: In 1984, Hancock, for political reasons only, announced he is now pro-life. It makes one wonder if Hancock is not just one of those "professional politicians who frequently changes his position based on expensive opinion polls". (Kansas City Star, 3/10/82)

It was because of this flip-flop and because Mel Hancock has not worked aggressively for the pro-life position that Mel Hancock was never endorsed by the Missouri Right to Life Committee during the primary! Only Dennis Smith, Gary Nodler, and Max Bacon received the Primary Election endorsement.

So where does Mel Hancock stand now? With his record of flip-flopping on this issue...

WILL HE FLIP-FLOP AGAIN?

Exhibit A

91040323941

MEL HANCOCK WILL TAX SOCIAL SECURITY

HERE ARE THE FACTS:

On August 24, 1988 in Branson, MO Mel Hancock said, "So, the Social Security benefit...I've wondered for a long-time, why social security is exempted (from being taxed). In the same paragraph Mel Hancock said, "There's going to start getting rid of some of the special exemption type things and reduce the (tax) rate, that's what I'm in favor of." Mel's comments are on audio tape and video tape. Channel 3 in Springfield ran a news story on Mel's remarks showing the words coming out of his mouth. Since that statement, Mel Hancock has been doing a lot of back-pedaling. In Anderson, MO on October 20th Mel said he was only joking. Mel Hancock is trying to back away from his own words, but there is no doubt that he wants to get rid of your social security tax exemptions. If Mel is elected and if he gets his way, a loss of your exemptions on social security would mean higher taxes.

Exhibit B

21J40323942



Mel Hancock

MEL HANCOCK WILL LOWER THE MINIMUM WAGE!

Did you know that according to his Financial Disclosure Statement, Mel Hancock earned \$125,000 during 1987! BUT, Hancock, who is running for Congress here in southwest Missouri, wants to reduce the pay of people who earn minimum wage. Mel Hancock made that statement on September 1st in Mt. Grove.

FRIDAY, SEPT. 2, 1988

News-Journal ***Covering The Mtn. Grove Area***

Hancock was speaking before the Mountain Grove Chamber of Commerce's noon meeting on Thursday.

During the presentation Hancock also outlined his position on several additional topics.

...Opposes an increase in minimum wage

He indicated he would even consider a reduction of the minimum wage

That's right! Mel Hancock has no problem paying himself \$125,000, but he refuses to allow working men and women a minimum wage that just barely provides a salary you can live on.

Exhibit C

21040323943

HANCOCK HAS BEEN BRIDLED

You will notice that whenever Mel speaks publicly these days away from traditionally friendly groups, he speaks from a prepared text. There is a reason for this: He has been bridled by his staff. Since August, Mel has already made some serious blunders. Here are just two recent examples: On August 24th in Branson, Mel said he couldn't understand why Social Security was exempt from taxes. Channel 3 in Springfield ran a news report on his exact statement. Since that time Mel has spent hours trying to explain "what he really meant."

On September 22nd during a taped interview on KTTS radio in Springfield, Mel was asked about his ties to the Libertarian party. Amazingly, he said he "supports many of their economic policies" and he said the Libertarian party has adopted many of the "policies on which this nation is founded." Since that time Mel has tried to do some back pedaling trying to prove he's not an extreme right winger, however, the statements are still on tape.

MEL IS TRYING TO BACK OFF OF EARLY STATEMENTS THAT HE WANTS TO GET RID OF ALL EXEMPTIONS AND IMPLEMENT A FLAT-RATE TAX

While running for U.S. Senate in 1982 Hancock took the following position on federal income taxes:

"He (Hancock) favors a federal income tax that would charge taxpayers a flat percentage rate of income and eliminate exemptions. (The St. Charles Post, 7-27-82)

This is the same position that Hancock has advocated during the present Congressional campaign at the now famous Branson speech when Hancock said he couldn't understand why social security tax exemptions were needed.

Hancock has also advocated the elimination of exemptions from Missouri State sales tax. (Daily News, 12/5/85)

Of course, such a plan would kill your home mortgage exemption and your dependant deductions, to name just two.

Please see other side

THINGS YOU SHOULD KNOW ABOUT MEL HANCOCK

IS MEL HANCOCK REALLY A REPUBLICAN?

Last year Mel Hancock considered running for Governor as Libertarian against John Ashcroft because of his many differences with Ashcroft. He also considered running as an Independent and some suggested he switch to the Democrats. St. Louis Post Dispatch, 10-5-87

MEL HANCOCK DID NOT GET ANY OF THE MAJOR SW MISSOURI FARM ENDORSEMENTS...AN AMAZING FAILURE FOR A GOP CANDIDATE

The Farm Bureau endorsed Hancock's opponent Max Bacon.

ADEPT, the education arm of Mid-America Dairy here in Springfield gave financial support to Bacon but not to Hancock.

The education arm of the National REA also gave financial support to Bacon and not to Hancock.

MEL HANCOCK IS CONSTANTLY BREAKING PROMISES

While campaigning for the Hancock Amendment, Mel promised to never run for public office (Post-Dispatch 4-29-81). Since then, Mel has become a perennial candidate. He has run for office three times and additionally has considered running on three other occasions (Secretary of State in 1981; Governor in 1987; and Lt. Governor again in 1987.)

Hancock has dramatically changed his position on abortion over the years. In 1982 Hancock opposed a federal constitution amendment banning abortion. Springfield News-Leader 7-18-82 and St. Louis Post Dispatch 8-1-82.

In 1984 while running against Harriett Woods, Hancock flip-flopped and became strongly pro-life.

It makes one wonder if Hancock is not just one of those "professional Politicians who frequently changes his position based on expensive opinion polls." Kansas City Star, 3-10-82

Please see other side

Exhibit D Page 2 of 2

31040323945



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 23, 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Manager
P.I.P. Printers
400 S. Campbell
Springfield, MO 65806

RE: MUR 2784

Dear Manager:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. This letter seeks certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

Please submit written answers under oath to the following question:

Separately with regard to each of the attached exhibits, state whether each was printed or copied in your shop in September to October, 1988. If so, state the date and identify who placed the order and describe the order placed.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order. However, please submit the information within 15 days of your receipt of this letter. All answers to questions must be submitted under oath.

91040323946

P.I.P. Printers
Page 2

If you have any questions, please contact Mark Allen, the staff member assigned to this matter, at (800) 424-9530.

Sincerely,

Lawrence M. Noble
General Counsel

Lois G. Lerner
GL

BY: Lois G. Lerner
Associate General Counsel

Enclosures

21040323947



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 23, 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Virgil and Jean Murphy
Master Printers, Inc.
450-L South Union
Springfield, MO 65802

RE: MUR 2784

Dear Mr. and Ms. Murphy:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. This letter seeks certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

Please submit written answers under oath to the following question:

Separately with regard to each of the attached exhibits, state whether each was printed or copied in your shop in September to October, 1988. If so, state the date and identify who placed the order and describe the order placed.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order. However, please submit the information within 15 days of your receipt of this letter. All answers to questions must be submitted under oath.

21040323948

Virgil and Jean Murphy
Page 2

If you have any questions, please contact Mark Allen, the
staff member assigned to this matter, at (800) 424-9530.

Sincerely,

Lawrence M. Noble
General Counsel

Lois G. Lerner *FL*

BY: Lois G. Lerner
Associate General Counsel

Enclosures

91040323949



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 30, 1990

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Max Bacon for Congress Committee
c/o Michael Baker, Esq.
1200 E. Woodhurst Drive
Bldg. A Suite 200
Springfield, MO 65804

RE: MUR 2784

Dear Mr. Baker:

On June 29, 1989, your client, Max Bacon for Congress Committee, was notified that the Federal Election Commission had found reason to believe that it violated 2 U.S.C. § 441d(a), a provision of the Federal Election Campaign Act of 1971, as amended.

Pursuant to its investigation of this matter, the Commission requests that you produce the following documents within 15 days of your receipt of this request: copies of every brochure, flyer, press release, and any other written material issued by the Max Bacon for Congress Committee. This information will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code.

If you have any questions, please contact Mark Allen, the staff member assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

91040323950

STEVENS & NOLAN
ATTORNEYS AT LAW
409 PLAZA TOWERS
1736 E. SUNSHINE
SPRINGFIELD, MISSOURI 65804
(417) 882-1262

93C 6649
RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

90 JUN 18 PH 9:08

RICHARD H. STEVENS
LOUIS J. NOLAN

June 8, 1990

Lois G. Lerner
Associate General Counsel
Federal Election Commission
Washington, D.C. 20463

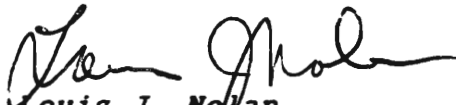
Re: MUR 2784

Dear Ms. Lerner:

Enclosed, please find my client's answers to the questions posed in your letter of May 23, 1990 regarding your investigation.

If further information is required, please contact either myself or my client.

Very truly yours,


Louis J. Nolan
Attorney at Law

LJN/tam

Enclosure

90 JUN 19 PM 3:05

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF ATTORNEY GENERAL
COUNSEL

21040323951

**STATEMENT OF PATRICK J. FLANIGAN
President, 5 G's UNLIMITED, INC.
d/b/a P.I.P. PRINTING**

EXHIBIT "A":

As to Exhibit "A", this Exhibit was copied in my shop in the late summer, or early fall of 1988. Someone from the Max Bacon for Congress Campaign, I believe it was Gay Edwards, brought "Exhibit A" into P.I.P. Printing and requested that 5,000 copies be made with quick turnaround. We had done several other jobs for the Max Bacon for Congress Campaign and therefore told them that we would get the job out immediately.

After this order was placed, someone from the Max Bacon for Congress Campaign called and told me not to invoice the 5000 copies to the Bacon Campaign, and that someone else would pick up and pay for the order.

Later that same day the 5000 copies were picked up by a young woman in her late teens or early twenties, who would not give her name and wanted no receipt. She paid cash for the 5000 copies.

EXHIBIT "B":

To the best of my knowledge, Exhibit "B" was not copied in my shop.

EXHIBIT "C":

To the best of my knowledge, Exhibit "C" was not copied in my shop.

EXHIBIT "D":

To the best of my knowledge, Exhibit "D" was not copied in my shop.

21040323952

Patrick J. Flanagan

) 55

)

Notary Public

My Commission Expires: 5-13-92



FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

June 22, 1990

Max Bacon, Treasurer
Max Bacon for Congress Committee
P.O. Box 8235
Springfield, MO 65801

RE: MUR 2784

Dear Mr. Bacon:

On May 14, 1990, you requested that the Federal Election Commission permit the Max Bacon for Congress Committee ("Committee") to terminate pursuant to 2 U.S.C. § 433(d) and Section 102.3 of the Commission's Regulations. Because of the ongoing enforcement matter involving your Committee, this request has been denied. Therefore, you are reminded that the Committee must continue to file all the required reports with the Commission until such time as the enforcement matter has been closed as to the Committee.

If you have any questions, please contact Mark Allen, the staff member assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

A handwritten signature, likely of Lois G. Lerner, is written over the typed name of Lawrence M. Noble.

BY: Lois G. Lerner
Associate General Counsel

91040323954



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 5, 1990

Max Bacon for Congress Committee
c/o Michael Baker, Esq.
1200 E. Woodhurst Drive
Bldg. A Suite 200
Springfield, MO 65804

RE: MUR 2784

Dear Mr. Baker:

On May 14, 1990, your client requested that the Federal Election Commission permit it to terminate pursuant to 2 U.S.C. § 433(d) and Section 102.3 of the Commission's Regulations. Because of the ongoing enforcement matter involving your client, this request has been denied. Therefore, you are reminded that your client must continue to file all the required reports with the Commission until such time as the enforcement matter has been closed as to your client.

If you have any questions, please contact Mark Allen, the staff member assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

cc: William Compere

91040323955

06C 6971

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

90 JUL 16 AM 10:03

Michael Baker

ATTORNEY AT LAW
1200 E. WOODHURST DRIVE
BLDG. A - SUITE 200
SPRINGFIELD, MISSOURI 65804

417-883-8200

July 13, 1990

Lois G. Lerner
Associate General Counsel
Federal Elections Commission
Washington, D.C. 20463

Re: MUR 2784

Dear Ms. Lerner:

Enclosed please find the information requested in your letter dated May 30, 1990, addressed to the Max Bacon for Congress Committee. These were obtained through my efforts, as the Treasurer has resigned and the Committee only functions in name only.

If there are any questions, please feel free to contact me.

Very truly yours,


Michael Baker
Attorney at Law

MB:dm

enc.

90 JUL 17 PM 3:29

FEDERAL ELECTION COMMISSION
OFFICE OF THE ATTORNEY GENERAL
WASHINGTON, D.C.

2100323956

BACON for Congress

205 WEST WALNUT ■ SPRINGFIELD, MISSOURI 65806

BIOGRAPHY OF GARY EDWARDS---CAMPAIGN MANAGER FOR MAX BACON

Gary has two valuable assets in this particular political race. He has strong southern Missouri roots and he has extensive political experience in Missouri and Washington, DC.

Gary was the first and subsequent Campaign Manager for Congressman Ike Skelton. He served as Ike's chief aide in Washington for 6 years. In 1984 he was media director for Congressman Bill Hefner of North Carolina. During that year, North Carolina was the hardest hit state for Democrats, yet Hefner won his race.

"I couldn't have done it without Gary's fine radio and TV ads," said Congressman Hefner.

Most recently, Gary was the chief aide to Congressman Larry Smith of Florida. That Congressional District is one of the fastest growing and one of the most ethnically diverse in the nation.

Gary Edwards has been a News Director for radio and TV stations in Charlotte, NC, Kansas City, MO, Sedalia, MO, Arizona, Arkansas, and New York. He has won numerous state and national journalism awards. His work has been heard on NBC, CBS, ABC, Mutual, AP Radio and NPR. One of Gary's systems of communications between Congressional offices is mentioned in a major national book on media.

Gary's family moved to the Ozarks in the 1850's. He is a graduate of the School of the Ozarks at Point Lookout, MO.

Gary is married with two children.

BACON for Congress

205 WEST WALNUT ■ SPRINGFIELD, MISSOURI 65806

March 15, 1988

Dear Fellow Democrats:

As you probably know, I have filed for the Democratic nomination for Congress from the Seventh district.

I'd like to take this opportunity to tell you that we now have a campaign headquarters. We are located in the basement of 205 West Walnut in Springfield. That's the same address as our Democratic headquarters. We are on the floor below them.

I hope you can drop by and say hello sometime. The mailing address is P. O. Box 8235, Springfield, Missouri 65801 and our telephone number is 869-5652.

You've heard this many times since Congressman Gene Taylor announced his resignation, but we can't hear it too much--7th Congressional Democrats have a REAL chance this year to win the Congressional election.

It's a fact!!!!

My roots are right here in southwest Missouri with you. I know the people and the issues. This knowledge was acquired through 20 years of public service in Southwest Missouri and because I was born and raised here. My father retired from Carpenters Local 978 with a 40 year pin.

I have a Campaign Manager on board. His name is Gary Edwards. Gary has strong roots in southern Missouri. Additionally, he was the Chief Aide and Campaign Manager for Ike Skelton for many years. He has years of media and Washington political experience. Drop by and say hello to Gary sometime. If you are able to help out in the office, please contact Gary at the above telephone number.

There is no doubt in my mind that the 7th Congressional District race will be THE most interesting in Missouri this year and one of the more interesting races in the nation. For that reason, the GOP will do all that it can to keep its hold here. 1988 is the year that hold will be broken if we all work together as Democrats.

Sincerely,



Max Bacon

MAX BACON CONGRESS

P.O. BOX 8235 ■ SPRINGFIELD, MISSOURI 65801-8235
417-869-5652

July 5, 1988

Dear Friend of Education:

The people in Southwest Missouri have an opportunity to elect a congressman who believes that providing a quality education program is a national priority. As members of the education profession, we share Max Bacon's commitment to our young people who represent our nation's future. Max Bacon has a legislative record which reflects his understanding of the importance of education. Quality education depends on factors such as relevant curricula; effective teacher training programs; consistent assessment programs; and adequate funding.

We believe that Max Bacon's many years of public service as a legislator and judge enable him to not only identify the complex problems of our current public education system, but to address these problems with innovative yet practical solutions. Max is concerned about experienced educators leaving the profession as a result of low salaries and low morale.

Directly related to the effectiveness of our education system are the problems of increased drug abuse and child abuse. Max favors an anti-drug abuse program which places an increased emphasis on drug abuse education combined with a war on drug traffickers in an effort to stop drugs at our national borders. Max is recommending the creation of a Federal Child Abuse Registry" which would establish a national registry of child abuse information that could be shared among states. This would, in effect, set up a tracking system of child abusers.

We urge you to support Max Bacon in the August Primary as we are convinced that Max will be a leader in Washington by working diligently to draft and pass legislation which will improve both our public education system and the quality of our children's lives.

Carolyn F. Smith

Carolyn F. Smith
Teacher

John Laurie

Dr. John C. Laurie
Principal

MAX BACON CONGRESS

P.O. BOX 8235 ■ SPRINGFIELD, MISSOURI 65801-8235
417-869-5652

May 23, 1988

Dear Friend of Law Enforcement:

I'm writing to let you know that I'm a Democratic candidate for Congress in the 7th Congressional District.

While a Circuit Judge here in Greene County for more than a decade, I tried to be fair...but tough with criminals. I consider myself strong on law and order.

If elected, I will make law enforcement issues an important part of my work in Congress. A few days ago, I announced a 4-point crime package which is a critical element of my campaign. I'd like to share it with you:

DRUG ABUSE

--I favor an anti-drug abuse program that stresses education; getting tough with foreign countries that ship illegal drugs to our shores; beefing-up local law enforcement programs; improved anti-drug coordination between various branches of government; destroying international drug networks.

CHILD ABUSE

--I am recommending the creation of a FEDERAL CHILD ABUSE REGISTRY. Such a program, which currently does not exist, would allow the sharing of child abuse information between states.

FEDERAL APPEALS

I would work to streamline the Federal appeals system. Currently, it can take many years before a case is disposed of on appeal.

DEATH PENALTY

I favor the death penalty as a deterrent to crime and will oppose national efforts to abolish it.

I've worked with police and law enforcement officials here in Greene County for the past 20 years, and I consider them the TRUE heroes of our day. I will take this attitude with me to Washington. I hope I will have your support in my race for Congress.

Sincerely,

MAX E. BACON

21040323960

MAX BACON CONGRESS

P.O. BOX 8235 ■ SPRINGFIELD, MISSOURI 65801-8235
417-869-5652

For Immediate Release

DEBATES COULD PIT BACON AGAINST TWO LIBERTARIANS
(In '87 Mel Hancock considered running as a Libertarian)

(Springfield, MO) 9-20-88 Max Bacon, the Democratic nominee for Congress, said it is unfair to allow Libertarian Congressional candidate Rob Lurvey to participate in the upcoming debates because it could pit two Libertarians against Democrat Max Bacon. Based on recent press accounts, Bacon believes the other Libertarian could be Mel Hancock. According to the college textbook, The Challenge of Democracy, the Libertarian Party believes in the almost total elimination of government in this nation.

Bacon pointed out that in 1987, Hancock, the current GOP Congressional nominee, considered running against Republican Governor John Ashcroft as a Libertarian. According to an October 5, 1987 story in the St. Louis Post Dispatch titled, "Libertarians Want Hancock On Slate", Hancock was approached by Ron Paul, the Libertarian's presidential nominee, to run for Governor.

In that story Hancock was quoted as saying that he hasn't closed the door entirely on the offer. He also said that both he and the Libertarians had problems with Governor John Ashcroft.

"We will be re-evaluating the possibility of doing a series of debates now that the situation has dramatically changed," said Bacon. Radio, TV and stage debates are now scheduled for September, October and November.

Bacon said Hancock owes it to the people of Southwest Missouri to explain if he still holds political views similar to those of the Libertarian Party. "Obviously, there is a strong relationship or Hancock would not have been asked to run on their ticket. And the fact that Mel took the offer under consideration, showed his willingness to be associated with the Libertarian Party," concluded Bacon.

-30-

MAX BACON CONGRESS

P.O. BOX 8235 ■ SPRINGFIELD, MISSOURI 65801-8235

417-869-5652

For Immediate Release

LORI'S SWIM FOR BACON REACHES 70 MILES AND 690 DOLLARS

(Springfield, MO) 5-12-88 The 12 year old Hickory Hills Elementary student who is raising money for Max Bacon's Congressional Campaign reached a new mark this week.

Lori Cantrell is receiving pledges for each mile she swims for the Bacon campaign. So far Lori has completed 70 miles and has gotten \$690 in pledges. Her goal is to reach 300 miles by election day August 2nd. Lori has been swimming for three weeks.

Bacon supporters are collecting pledges throughout the Springfield area for Lori's swim.

-30-

Contact: Gary Edwards at 869-5652

MAX BACON CONGRESS

P.O. BOX 8235 ■ SPRINGFIELD, MISSOURI 65801-8235
417-869-5652

INTRODUCTION

MAX BACON IS THE DEMOCRATIC NOMINEE FOR CONGRESS HERE
IN THE 7TH CONGRESSIONAL DISTRICT.

MAX BACON HAS BEEN ELECTED TO THE OFFICES OF STATE
REPRESENTATIVE, MAGISTRATE JUDGE AND CIRCUIT JUDGE, WHERE HE
SERVED FOR THE PAST 13 YEARS BEFORE STEPPING DOWN TO RUN FOR
CONGRESS.

ADDITIONALLY, IN 1970 MAX BACON WAS APPOINTED BY THEN
GOVERNOR WARREN HEARNES TO BE THE PROSECUTOR IN DOUGLAS AND
DALLAS COUNTIES. FROM 1968 TO 1970 HE SERVED AS ASSISTANT
CITY ATTORNEY IN SPRINGFIELD. MAX HAS SERVED IN PUBLIC
OFFICE IN SOUTHWEST MISSOURI FOR THE PAST 20 YEARS.

MAX BACON WAS BORN AND RAISED IN SPRINGFIELD. HIS
FAMILY SETTLED IN THE OZARKS MORE THAN 100 YEARS AGO. HE
COMES FROM A LONG LINE OF SOUTHWEST MISSOURI FARMERS AND
WORKING PEOPLE.

MAX BACON RECEIVED HIS BS DEGREE IN EDUCATION FROM
SOUTHWEST MISSOURI STATE UNIVERSITY IN SPRINGFIELD AND HIS
JD DEGREE FROM THE UNIVERSITY OF MISSOURI AT COLUMBIA.

MAX BACON AND HIS WIFE JENNIE HAVE THREE SONS.

BACON for Congress

205 WEST WALNUT ■ SPRINGFIELD, MISSOURI 65806

For Immediate Release

BACON PROPOSES NATIONAL CHILD ABUSE PROGRAM

(Springfield, MO) 3-4-88 Max Bacon, a Democratic candidate for Congress in the 7th Congressional District, is recommending the creation of a FEDERAL CHILD ABUSE REGISTRY. Such a system would help protect children and guard against false reports of child abuse.

Bacon, who served as a Juvenile Judge in conjunction with his duties as a Greene County Circuit Judge, said as a Congressman he will work to set-up a program that would allow the sharing of child abuse information between states.

"Right now," said Bacon, "if a report of child abuse comes into the Juvenile or Family Services offices, there is no national system allowing ready access to records of other states. If there were a national child abuse registry we could quickly find out if the alleged abusers have been involved in prior child abuse incidents in other states. We also will be able to learn if the person has a record of being victimized by false abuse reports."

"In other words," emphasized Bacon, "there presently is no national tracking system for child abusers and victims of false reports."

Bacon believes this is an appropriate issue for Congress to consider. As a Congressman a FEDERAL CHILD ABUSE REGISTRY would be one of the first bills he would introduce.

"John Love, the Director of Juvenile Court Services in Greene County, said a national child abuse tracking system of this type is badly needed," pointed out Bacon.

Bacon recently announced his candidacy for Congress here in Southwest Missouri. Bacon has served as a Circuit Judge, Magistrate Judge, State Representative and Prosecutor in this area.

-30-

For more information contact: Gary Edwards at (417) 869-5652.

Editor: The speech above was delivered to the Springfield Downtown Kiwanas club on this date.

BACON for Congress

205 WEST WALNUT ■ SPRINGFIELD, MISSOURI 65806

For Release on Tuesday, March 1, 1988

BACON ANNOUNCES BID FOR CONGRESS DURING 16 CITY TOUR

(Undated) Max Bacon is a candidate for Congress in Missouri's 7th Congressional District. Bacon is a Democrat.

Bacon made the announcement during an unprecedented 16 city, 2-day tour throughout Southwest Missouri. He was accompanied by scores of people from across the District on a large over-the-road bus.

Bacon recently resigned as a Greene County Circuit Judge in order to campaign for the 7th District Congressional seat. Bacon also has served as a State Representative in the Missouri legislature and as the Prosecutor for Douglas and Dallas Counties. Additionally, Bacon was a Greene County Assistant City Attorney in Springfield. However, Max Bacon probably is best known throughout the ozarks, the State and nation as a gospel singer.

During his announcement speech Bacon said, "My campaign for Congress will be a positive campaign. We must begin building on America's existing strengths."

"At the same time," pointed out Bacon, "our nation is facing major problems to which Southwest Missourians are demanding answers:

- * The decline of family and moral values
- * The budget and trade deficits
- * The need for stronger family farms
- * The need for a real war against drugs and other crimes
- * Government waste and inefficiency
- * A Congress that can't seem to make tough decisions

Bacon believes these are problems that demand solutions through a firm no-nonsense Congress.

"I believe the people of Southwest Missouri have a common sense approach to America's problems. I want to take that common sense to Washington and use it as a tool for helping solve these difficulties."

Max Bacon is a life-long resident of Southwest Missouri. He was born and raised here. He and his wife Jenine have 3 sons.

The 7th Congressional seat, for which Bacon is a candidate, is now open following the announced resignation of Congressman Gene Taylor.

-30-

For more information contact Gary Edwards
at (417) 869-5652 or 869-5546

MAX BACON CONGRESS

P.O. BOX 8235 ■ SPRINGFIELD, MISSOURI 65901-8235
417-868-6652

WHY IT'S IMPORTANT FOR EVANGEL STUDENTS TO SUPPORT MAX BACON

1. MAX BACON has strong ties with Evangel and understands our concerns.
2. MAX BACON understands the importance of education. He has taught at Evangel and many members of his immediate family, including his wife Jenine, are professional educators.
3. MAX BACON is a former Greene County Circuit Judge who has worked with the issue of education on a daily basis.
4. MAX BACON is a former Missouri State Legislator who has a reputation for being a strong supporter of education.
5. We encourage you to talk with people who have strong roots and many years in Missouri education and ask them about Mel Hancock's reputation with education...then we believe you will vote for MAX BACON.
6. MAX BACON is a popular gospel singer who is known across Missouri and nationally for his singing appearances with Governor John Ashcroft.

BACON for Congress

205 WEST WALNUT ■ SPRINGFIELD, MISSOURI 65806

CONGRESSIONAL ANNOUNCEMENT SPEECH OF MAX BACON

21040323967

I AM HERE TODAY TO ANNOUNCE THAT I AM A CANDIDATE FOR THE DEMOCRATIC NOMINATION FOR CONGRESS FROM THE 7TH CONGRESSIONAL DISTRICT. I'VE HAD THE GREAT PRIVILEGE OF LIVING IN SOUTHWEST MISSOURI MY ENTIRE LIFE AND I CONSIDER THIS TO BE THE FINEST PART OF OUR COUNTRY. AND, THERE'S NO DOUBT THAT AMERICA IS THE GREATEST NATION ON THE FACE OF THE EARTH. THERE ARE MANY, MANY GOOD THINGS TO BE SAID ABOUT AMERICA TODAY. I THINK WE OUGHT TO BE POSITIVE ABOUT THE GOOD THINGS IN AMERICA.

MY CAMPAIGN FOR CONGRESS WILL BE A POSITIVE CAMPAIGN! WE MUST DO MORE THAN JUST COMPLAIN AND CRITICIZE. WE MUST BEGIN BUILDING ON AMERICA'S EXISTING STRENGTHS.

AT THE SAME TIME WE MUST ALL RECOGNIZE THAT OUR NATION IS FACING MAJOR PROBLEMS WHICH DEMAND ANSWERS. SUCH THINGS AS:

- *THE DECLINE OF THE FAMILY AND OF MORAL VALUES
- *THE BUDGET AND TRADE DEFICITS
- *THE PLIGHT OF THE AMERICAN FARMER
- *THE NEED FOR A REAL WAR AGAINST DRUGS AND CRIME
- *GOVERNMENT WASTE AND INEFFICIENCY
- *A CONGRESS THAT CAN'T SEEM TO MAKE TOUGH DECISIONS

THESE ARE PROBLEMS THAT DEMAND SOLUTIONS THROUGH A FIRM...NO-NONSENSE CONGRESS.

21040323968

AS A JUDGE AND STATE REPRESENTATIVE FOR ALMOST 20 YEARS IN SOUTHWEST MISSOURI, I'VE TRIED TO BE FAIR BUT FIRM. I BELIEVE THIS HAS PREPARED ME TO GO TO WASHINGTON AND TO MAKE THE HARD CHOICES NEEDED TO BALANCE THE BUDGET AND TO DEAL WITH THE TRADE DEFICIT;

TO BE PROUD TO SPEAK UP FOR FAMILY AND MORAL VALUES; TO CLAMP DOWN ON DRUG DEALERS AND OTHER CRIMINALS; AND TO BE A VOICE FOR AMERICAN AGRICULTURE...A KEY PART OF MISSOURI'S ECONOMY.

THE PEOPLE OF SOUTHWEST MISSOURI HAVE A SORT OF COMMON SENSE APPROACH TO THINGS. I WANT TO TAKE SOME OF THAT SOUTHWEST MISSOURI COMMON SENSE TO WASHINGTON AND USE IT AS A TOOL FOR HELPING SOLVE THESE DIFFICULT PROBLEMS. AT THE SAME TIME I WANT TO GO TO WASHINGTON AND HELP BUILD A STRONGER FUTURE FOR OUR COUNTRY, AND FOR SOUTHWEST MISSOURI, BASED ON ALL THE GOOD THINGS ABOUT AMERICA. SUCH THINGS AS:

A FEELING OF HOPE THAT WE ALL SHARE
BOUNTIFUL NATURAL RESOURCES THAT GOD HAS GIVEN US
ABUNDANT HUMAN RESOURCES, AND
THE KNOWLEDGE THAT AMERICA CAN DO ANYTHING IT SETS ITS MIND TO.

AS A BOY GROWING UP HERE IN SOUTHWEST MISSOURI I WAS INFLUENCED NOT ONLY BY WONDERFUL PARENTS AND BY A LOVING FAMILY, BUT ALSO BY FINE SCHOOLS AND CHURCHES AND BY NEIGHBORS AND FRIENDS AND BY ALL THE PEOPLE WITH WHOM I'VE HAD CONTACT THROUGH THE YEARS. I KNOW THE PEOPLE BECAUSE

I'M ONE OF YOU. I KNOW THE ISSUES THAT CONCERN YOU BECAUSE
THEY CONCERN ME ALSO. I WANT TO BE ELECTED TO CONGRESS SO
I CAN TAKE YOUR IDEAS, YOUR NEEDS, YOUR CONCERNS AND YOUR
VOICE TO WASHINGTON. I'M ASKING YOU TO JOIN WITH ME IN THAT
EFFORT. IT'S GOING TO BE EXCITING, BUT MORE IMPORTANTLY IT'S
GOING TO BE AN OPPORTUNITY FOR YOU AND FOR ME TO HAVE AN
IMPACT ON THE COURSE AND DIRECTION AND FUTURE OF THIS GREAT
NATION.

91040323969

MAX BACON CONGRESS

P.O. BOX 8235 ■ SPRINGFIELD, MISSOURI 65801-8235

417-869-5652

For Immediate Release

BACON SAYS MISSOURI AG PRODUCTS CAN HELP EASE TRADE DEFICIT (In light of new trade deficit figures)

(Springfield, MO) 4-15-88 During his opening comments before the Missouri Farm Bureau Executive Committee today, Democratic Congressional candidate Max Bacon said agriculture trade is one way to help the nation's trade deficit.

"If elected to Congress one of my priorities will be to help export Missouri farm products," said Bacon. "In addition to helping the State's economy, Missouri farm exports also will contribute to an easing of the national trade deficit."

Bacon pointed out that the trade deficit is facing serious problems these days. On April 14th it was announced that the trade imbalance had climbed to \$13.8 billion. That's an increase of \$1.4 billion...the highest since October of last year. As a result of the trade figures, the Dow dropped 101 points on April 14th and the economy showed early signs of increased inflation.

Meanwhile, both Congress and the White House remain concerned about depressed U.S. farm exports, the value of which fell nearly 40% through 1986 from a 1981 peak of \$43.8 billion. This decline had serious repercussions throughout the farm economy.

"I believe it is the duty of Missouri Congressmen to promote Missouri agriculture products overseas through appropriate legislation and committee work. Of course, this is not the final solution but it allows Congress to help the state's and the nation's economy," concluded Bacon.

Bacon was being interviewed by the Farm Bureau with other political candidates to learn their positions on agriculture issues.

-30-

For more information contact: Gary Edwards (417) 869-5652

21040323970

MAX BACON CONGRESS

P.O. BOX 8235 ■ SPRINGFIELD, MISSOURI 65801-8235

417-869-5652

For Immediate Release

BACON SAYS MUSIC PUBLISHERS ISSUE IS A PROBLEM FOR BRANSON

(Branson, Mo) 5-16-88 Democratic Congressional candidate and former Greene County Judge, Max Bacon today said the music publishers issue is a problem for the country music shows along Branson's Highway 76 "strip."

This issue forces the country music shows to pay large fees to music publishers such as ASCAP and BMI out of New York, Los Angeles and Nashville. Currently, when a show plays even one song belonging to the publishers, the country show must pay a certain amount for every seat in the auditorium...even if that seat is empty. With the present system, some of the shows along the strip would be hit harder than others.

"I've talked with several of the show people about this issue," says Bacon, "and no one is opposed to paying what he owes, but they are concerned about the vast inequity of the system."

Bacon says the answer to this problem is with the Judiciary committees in the House and Senate and if elected he plans to try and receive an appointment to the House committee.

"ASCAP and BMI and others are well represented in Congress...they have lobbyists on Capitol Hill full-time, but there is no lobbyist for people like the music shows in Branson," emphasized Bacon. "If elected, I will do all I can to relieve this inequity. It's time that the music shows throughout southern Missouri had a lobbyist fighting for them. They are an important source of entertainment for southwest Missourians as well as people from across the nation."

Bacon pointed out that the Branson music shows are an important part of the local economy. He also explained that as an attorney he would have a better chance of getting an appointment to the Judiciary Committee since they primarily will accept only lawyers. The House Judiciary Committee deals almost exclusively with legal matters.

-30-

Contact: Gary Edwards (417) 869-5652

21040323971

**MAX
BACON
CONGRESS**

P.O. BOX 8235 ■ SPRINGFIELD, MISSOURI 65801-8235
417-869-5652

Embargoed until Monday morning May 23, 1988 at 12:01 am

LARGE GROUP OF CONGRESSMEN ANNOUNCE THEIR SUPPORT FOR BACON

(Undated) In an unusual move, several Members of the U.S. House of Representatives, are supporting Max Bacon during the Democratic primary election. This move is unusual because incumbent Congressmen generally stay neutral in a contested primary race.

The Congressmen are members of the Conservative Democratic Political Action Committee. The group, which has about 35 members, is made up of Democrats who are moderate to conservative in their political philosophies.

Congressman Sonny Montgomery, a nationally recognized Democrat from Mississippi, and Chairman of the groups Board of Directors wrote to Bacon, "We very much look forward to your victory in the primary and again in November in order that we might welcome you as a colleague and have an opportunity to serve with you in the Congress."

"I was delighted to receive the news," said Bacon. "I am especially enthusiastic because the members of the group represent the type of moderate to conservative thinking that you will find throughout southwest Missouri. This also points out the strength of our campaign," said Bacon. "Congressmen aren't going to go out on a limb in a primary race unless they feel our chances for winning are outstanding."

One of the members of the group is Congressman Martin Leath of Texas who was the keynote speaker at this year's Jackson Days event in Springfield. Other members primarily come from the southern and midwestern United States. The letter of support from the moderate/conservative Democrats was accompanied with a sizable financial contribution.

-30-

Contact: Gary Edwards (417) 869-5652

MAX
BACON
CONGRESS

P.O. BOX 8235 ■ SPRINGFIELD, MISSOURI 65801-8235
417-869-5652

June 23, 1988

name
address
city, state, zip

Dear:

A very important TV/Radio dinner-fundraiser is scheduled for July 8th and your help is needed.

The event will be held at the Riverside Restaurant in Ozark, Mo. beginning at 7:00 pm. Tickets are \$50.00 per person.

Income from this fundraiser will be used to buy needed last-minute radio and TV ads, so the success of this event is important.

If you are unable to attend the dinner, there will be a Jenine and Max Bacon birthday party picnic on July 16th out at the Ozark Empire Fairgrounds at 6:30 pm. Tickets are \$25.00 per family.

Your past support is greatly appreciated. I hope it is possible for you to purchase a ticket to the July 8th Dinner because I still need your additional support in these final days of the primary election. Your help with the radio/TV ads is crucial. Additionally, I hope it is possible for you to attend the July 16th picnic. This should be the last fund-raiser of the Primary election campaign. Both events will have entertainment!

Sincerely,

MAX E. BACON

____ Yes, I can purchase _____ dinner tickets and help with the radio/TV ads! Enclosed is _____ dollars. Please send _____ tickets.

____ I can't purchase the dinner tickets but I would like to attend the MAX AND JENINE BIRTHDAY PARTY ON JULY 16TH! Please send a family ticket. Enclosed is \$ _____.
(send checks only)

91040323973

MAX BACON CONGRESS

P.O. BOX 8235 ■ SPRINGFIELD, MISSOURI 65801-8235
417-869-5652

For Immediate Release

Contact: Gary Edwards
(417)869-5652

BACON ENDORSED BY MID-AM DAIRY POLITICAL ARM

(Springfield, MO) 7-21-88 Max Bacon has received the endorsement of the Mid-America Dairy Agricultural and Dairy Educational Political Trust.

Bacon is the only Democratic 7th Congressional District candidate to be endorsed by the organization.

ADEPT, the political arm of Mid-America Dairy, represents thousands of dairy farmers throughout Southwest Missouri.

"It is an honor to be endorsed by this fine organization," said Bacon. "While a State Legislator I worked closely with many dairy issues. In fact, I helped create the State Milk Board."

Bacon pointed out that the dairy industry is very important to the economy of Southwest Missouri and to the entire state. If elected to Congress, Bacon said dairy issues will continue to be an important part of his agenda.

The Mid-America Dairy national headquarters are located in Springfield, Missouri.

91040323974

MAX BACON CONGRESS

P.O. BOX 8235 ■ SPRINGFIELD, MISSOURI 65801-8235
417-868-5882

QUESTION: I believe there is now a bill in Congress that would give federal annuities and all private pensions the same tax relief that social security has. (ask for the opinion of the bill of the two candidates)

HANCOCK: I'm not familiar with the bill...if there is a bill pending. I do know there has been a lot of...that's there's been an effort going on for years in the State of Missouri to exempt the federal employee or retired military pension from state income taxes.

21040323975

You know there's a theory of taxation, that's basic really and that's as broad a base as possible and as small a rate as possible, in other words, if you spread the tax over enough people and make the base big enough...then it doesn't constitute confiscation on a few people. So, the social security benefit....I've frankly wondered for a long-time, why social security is exempted. I never have really figured that one out. I also know that the 1976 law changed that. You know, if in fact you have enough means tests, as the lady mentioned, then 1/2 of your social security is now taxable. It would look like the trend is...and especially if you take a look at the speaker of the House's statements back in 1976...he made the statement that this new tax law, establishing the two brackets between 15% and 28%...he made the statement...its gonna be awfully easy to take it to 17%, so this is the thing that I think we have to look at. I think we have to look at the total (?) tax. But I do, I am firmly in favor of the idea that people should be free...as equally as possible...in the area of taxation...which means maybe we're going to do like they started doing in '76. There's going to start getting rid of some of the special exemption type things and reduce the rate, that's what I'm in favor of.

Comments of Mel Hancock while speaking before a meeting of retired Taney County citizens. The meeting was held in Branson, Mo. on August 24th, 1988 at noon.

MAX
BACON
CONGRESS

P.O. BOX 8235 ■ SPRINGFIELD, MISSOURI 65801-8235
417-888-5652

MEMORANDUMAugust 29, 1988

Tony Schwartz of New York, renowned political media advisor to every Democratic presidential nominee since 1964, has taken a personal interest in Missouri's 7th Congressional District race and has agreed to join Max Bacon's campaign.

Mr. Schwartz began preliminary research last week and will write and direct all radio and television media for Judge Bacon.

MAX BACON CONGRESS

P.O. BOX 8235 ■ SPRINGFIELD, MISSOURI 65801-8235
417-868-5652

For Immediate Release

BACON SAYS HANCOCK INFLEXIBILITY BAD FOR SW MO

(Springfield, MO) 9-19-88 The essence of the Congressional race between conservative Democrat Max Bacon and conservative Republican Mel Hancock came to light over the weekend when Presidential candidate Michael Dukakis met privately with Bacon.

During a news conference late last week Hancock criticized Bacon for meeting with a liberal. Hancock said he would not take the time to meet with a President, Democrat or Republican, unless his beliefs were like his own.

"This is the kind of inflexible thinking that would damage the people of SW Missouri," said Bacon. "A Congressman must learn to talk to all people whether he agrees with them or not. He can't sit on the sidelines and turn his back to everyone with whom he disagrees. If this happens the people of Southwest Missouri will suffer because their Congressman would be unable to function in Congress."

Bacon pointed out that the current Congressman, Gene Taylor, has an excellent reputation for being able to talk to all people, Democrat and Republican, conservative and liberal.

Bacon believes his meeting with Dukakis was helpful. He expressed to Dukakis that, like himself, most people in Southwest Missouri are moderate to conservative

21040323977

MAX BACON CONGRESS

P.O. BOX 8235 ■ SPRINGFIELD, MISSOURI 65801-8235
417-869-5652

For Immediate Release

Contact: Gary Edwards
(417)869-5652

BACON ENDORSED BY MID-AM DAIRY POLITICAL ARM
(FARM BUREAU ENDORSED BACON IN AUGUST)

(Springfield, MO) 7-21-88 Max Bacon has received the endorsement of the Mid-America Dairy Agricultural and Dairy Educational Political Trust. This is the second major agricultural endorsement received by Bacon. He was endorsed by the Farm Bureau in August, so Bacon has received the "Double Crown" of agriculture endorsements.

Bacon is the only 7th Congressional District candidate to be endorsed by the Dairy Group and the Farm Bureau.

ADEPT, the political arm of Mid-America Dairy, represents thousands of dairy farmers throughout Southwest Missouri.

"It is an honor to be endorsed by this fine organization," said Bacon. "While a State Legislator I worked closely with many dairy issues. In fact, I helped create the State Milk Board."

Bacon pointed out that the dairy industry is very important to the economy of Southwest Missouri and to the entire state. If elected to Congress, Bacon said dairy issues will continue to be an important part of his agenda.

The Mid-America Dairy national headquarters are located in Springfield, Missouri.

MAX BACON CONGRESS

P.O. BOX #235 ■ SPRINGFIELD, MISSOURI 65801-#235
417-869-5652

For Immediate Release

BACON SPEAKS TO ASH GROVE SENIOR CITIZENS ON ISSUES

(Ash Grove, MO) 5-6-88 7th District Democratic

Congressional candidate Max Bacon told Ash Grove Senior Citizens Friday that drug abuse and the budget deficit are two of the major issues on the minds of southwest Missouri voters this year. Bacon also pointed out that social security and the NOTCH baby controversy are two additional issues which are of special concern to senior citizens.

On the issue of crime, Bacon said his 13 years as a Circuit Judge, Magistrate Judge, Prosecutor and State Legislator qualify him to help fight the drug problem.

"I saw young and old alike ruin their lives with drugs," said Bacon. "It was tragic. Now I'd like to be in a position to do something about it in Washington. America must declare a real war against drugs, not just a war of slogans."

Bacon said the first order of business for the next Congress must be the budget deficit.

"America simply has to have a balanced budget," emphasized Bacon. "Time is running out on our economic clock."

Bacon assured the senior citizen that if elected they will have a friend in Congress on social security and related issues. Bacon spoke at the Ash Grove Senior Center.

-30-

Contact: Gary Edwards at (417) 869-5652.

91040323979

MAX BACON CONGRESS

P.O. BOX 8235 ■ SPRINGFIELD, MISSOURI 65801-8235

417-869-5652

For Immediate Release

BACON IS CAMPAIGNING IN UNIQUE STYLE
(The singing Judge is living up to his reputation)

(Undated) Democratic Congressional candidate

Max Bacon is campaigning in a somewhat unusual style these days. In fact, it has attracted national attention.

Beginning in April, Bacon started visiting senior citizen centers throughout southwest Missouri. During these stops he outlines for the audience what he would do as a Congressman to help senior citizens; then the rest of the program is devoted to singing country and gospel music. A piano accompanist travels with Bacon to these appearances. Additionally, he frequently is asked to sing on other occasions.

Bacon, who has served as a Circuit and Magistrate Judge, a State Legislator and a Prosecutor, is known nationally for his singing. He has been recorded on four albums of patriotic and gospel music.

"Quite frankly, I enjoy campaigning this way," said Bacon. "However, I'm not the first. The last Democrat to be elected in the 7th District back in 1956 was Charlie Brown. Charlie was noted for using music during his campaign stops. I like giving campaign speeches, but afterward people often request a song or two. I'm usually ready to oblige."

Bacon's style of campaigning has received national attention among some of the political magazines in Washington. Also, a reporter with the Kansas City Times will be attending one of Bacon's senior citizen campaign sings during the week of May 16th.

Max Bacon's interest in music extends to his family. Area churches often invite the Bacon family to sing before their congregations. All of them sing and several accompany the group on instruments.

-30-

Contact: Gary Edwards (417) 869-5652

21040323980

MAX BACON CONGRESS

P.O. BOX 8235 ■ SPRINGFIELD, MISSOURI 65801-8235
417-869-5652

INTRODUCTION

MAX BACON IS THE DEMOCRATIC NOMINEE FOR CONGRESS HERE
IN THE 7TH CONGRESSIONAL DISTRICT.

MAX BACON HAS BEEN ELECTED TO THE OFFICES OF STATE
REPRESENTATIVE, MAGISTRATE JUDGE AND CIRCUIT JUDGE, WHERE HE
SERVED FOR THE PAST 13 YEARS BEFORE STEPPING DOWN TO RUN FOR
CONGRESS.

ADDITIONALLY, IN 1970 MAX BACON WAS APPOINTED BY THEN
GOVERNOR WARREN HEARNES TO BE THE PROSECUTOR IN DOUGLAS AND
DALLAS COUNTIES. FROM 1968 TO 1970 HE SERVED AS ASSISTANT
CITY ATTORNEY IN SPRINGFIELD. MAX HAS SERVED IN PUBLIC
OFFICE IN SOUTHWEST MISSOURI FOR THE PAST 20 YEARS.

MAX BACON WAS BORN AND RAISED IN SPRINGFIELD. HIS
FAMILY SETTLED IN THE DIARLS MORE THAN 100 YEARS AGO. HE
COMES FROM A LONG LINE OF SOUTHWEST MISSOURI FARMERS AND
WORKING PEOPLE.

MAX BACON RECEIVED HIS BS DEGREE IN EDUCATION FROM
SOUTHWEST MISSOURI STATE UNIVERSITY IN SPRINGFIELD AND HIS
JD DEGREE FROM THE UNIVERSITY OF MISSOURI AT COLUMBIA.

MAX BACON AND HIS WIFE JUDITH HAVE THREE SONS.

July 28, 1988

Dear Friend,

As a Christian and a citizen who is concerned about our government, I am writing to share some thoughts with you about Tuesday's Congressional election. Many people know of Judge Max Bacon and his 20 years of outstanding public service here in Southwest Missouri.

Max Bacon has always lived an exemplary life. A strong family man, Max and his wife, Jenine, and their three sons are members of the Northwest Baptist Church in Springfield, Missouri.

As a prominent and well-respected community leader, I would ask that if the opportunity arises, you speak on behalf of Max and his candidacy for Congress. Max appreciates your help and support in his effort to represent the citizens of Southwest Missouri. It is important to note that voters will need to request a "Democratic" ballot on Tuesday in order to vote for Max Bacon.

Kindest Regards,

Leona M. Bailey

Leona M. Bailey

For Immediate Release

BACON UNVEILS SOUTHWEST MISSOURI CRIME PACKAGE

(Aurora, MO) 5-13-88 During a two-day tour of Southwest Missouri, Democratic Congressional candidate Max Bacon announced his 4-point crime package. If elected, Bacon would use his program to help fight crime problems in southwest Missouri and the nation.

While serving as a Greene County Circuit Judge for more than a decade, Bacon earned the reputation of being tough on crime. As a Missouri State legislator, Bacon served on the House Criminal Jurisprudence Committee. Bacon also has been a Prosecutor in Douglas and Dallas Counties.

Max Bacon's crime package is made up of four major elements: An Anti-drug abuse program; A child abuse program; Streamlining the Federal appeals system; support for the death penalty.

DRUG ABUSE

--An anti-drug abuse program that seeks to lessen the demand for drugs in this country through education in our communities and schools. There always will be a drug problem until the demand stops.

--Get tougher with foreign countries that ship illegal drugs to our shores. We've been allowing protocol to interfere with toughness.

--Beef up law enforcement programs so we can do a better job of stopping drugs at our borders and on our city streets.

--Improved coordination between the various branches of government that work with drug abuse.

--Begin destroying international drug trafficking networks. Capturing the foreign drug lords is not enough.

CHILD ABUSE

Max Bacon is recommending the creation of a FEDERAL CHILD ABUSE REGISTRY. Such a program, which currently does not exist, would allow the sharing of child abuse information between states.

(Please see other side)

21040323983

FEDERAL APPEALS

Max Bacon would work to streamline the Federal appeals system. Currently, after convicted criminals have exhausted their appeals on the State level, they then start going through years of the Federal appeals process.

DEATH PENALTY

Max Bacon favors the death penalty as a deterrent to crime.

-30-

Contact: Gary Edwards at (417) 869-5652

PAID BY THE MAX BACON FOR CONGRESS COMMITTEE

91040323984

MAX BACON CONGRESS

P.O. BOX 8235 ■ SPRINGFIELD, MISSOURI 65801-8235

For Release Monday March 21, 1988 417-869-5652

TOM MOUNTJOY NAMED DISTRICT WIDE CHAIRMAN FOR MAX BACON CONGRESSIONAL CAMPAIGN

(Undated) Tom Mountjoy, Greene County Prosecutor, has been named 7th District Chairman for the Max Bacon for Congress Campaign.

Mountjoy, who also is the President of the Missouri Prosecuting Attorney's Association, is a highly respected community leader.

"I am honored that someone of Tom Mountjoy's ability and fine reputation has agreed to serve as my District Chairman," said Bacon.

Mountjoy was elected Greene County Prosecutor in 1982. He is the recipient of numerous awards and honors. Also, he is a member of the Governor's Crime Commission and Chairman of the Community Alcohol Safety Effort (CASE) Committee.

"It's a privilege to serve in this capacity," said Mountjoy. "Max Bacon offers the type of leadership qualities and traditional family values needed here in the 7th Congressional District. Additionally, I've respected Max Bacon as one of Missouri's leading judges. He has a record of being tough on crime, tough on drugs and sensitive to the victims of crime."

Max Bacon has 20 years of public service in southwest Missouri as a State Representative, Prosecutor, Magistrate Judge and Circuit Judge.

In his role as the Max Bacon Campaign Chairman, Tom Mountjoy will be a key campaign advisor.

The 7th Congressional District is made up of 17 southwest Missouri counties, including Jasper and Greene.

-30-

For more information contact: Gary Edwards at (417) 869-5652.

BACON for Congress

205 WEST WALNUT ■ SPRINGFIELD, MISSOURI 65806

For Release at 12:01 am Thursday, March 10, 1988

BACON FILES FOR CONGRESSIONAL RACE

(Jefferson City, MO) 3-10-88 Max Bacon made it official today. He travelled to Jefferson City to file as a candidate for the 7th Congressional seat being vacated by Gene Taylor.

Bacon, a Democrat, announced on March 1st during a district-wide tour of Southwest Missouri that he planned to run for Congress.

Bacon recently resigned as a Greene County Circuit Judge in order to campaign for the 7th District seat. Bacon also has served as a State Representative in the Missouri legislature and as the Prosecutor for Douglas and Dallas Counties. Bacon was a Greene County Assistant City Attorney in Springfield.

"Since my announcement tour last week", said Bacon, "the response to our campaign has been overwhelming." We've been campaigning for a only a few days and support is coming in from all areas of the Congressional District."

Max Bacon is emphasizing that he will be running a positive campaign. At the same time, he pointed out that our nation needs a Congress that is willing to make tough decisions.

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Editor: Max Bacon will be at the Secretary of State's office in Jefferson City by 9 A.M. in order to file. Bacon will file on Thursday March 10th.

Radio News Director: For an actuality of Max Bacon commenting on his filing-contact Gary Edwards anytime on Wednesday March 9th or until 6:15 am on Thursday March 10. The information will be for release as indicated above.

-Also-

Contact Gary Edwards anytime in order to setup an in person or telephone interview.

(417) 869-5652

PAID FOR BY: BACON FOR CONGRESS COMMITTEE — WILLIAM COMPERE, CPA, TREASURER

1-5

21040323987

WHY IT'S IMPORTANT FOR EVANGEL STUDENTS TO
SUPPORT MAX BACON

1. MAX BACON has strong ties with Evangel and understands our concerns.
2. MAX BACON understands the importance of education. He has taught at Evangel and many members of his immediate family, including his wife Jenine, are professional educators.
3. MAX BACON is a former Greene County Circuit Judge who has worked with the issue of education on a daily basis.
4. MAX BACON is a former Missouri State Legislator who has a reputation for being a strong supporter of education.
5. We encourage you to talk with people who have strong roots and many years in Missouri education and ask them about Mel Hancock's reputation with education...then we believe you will vote for MAX BACON.
6. MAX BACON is a popular gospel singer who is known across Missouri and nationally for his singing appearances with Governor John Ashcroft.

PAID BY THE MAX BACON FOR CONGRESS COMMITTEE

MAX BACON CONGRESS

P.O. BOX 8235 ■ SPRINGFIELD, MISSOURI 65801-8235

417-869-5652

BIOGRAPHY

DEMOCRAT MAX BACON HAS PROVEN HE CAN WIN ELECTIONS

Max Bacon has been a Democratic Candidate for public office in 7 primary and general elections in southwest Missouri.

He has won them all!

In years when the vast majority of southwest Missouri Democrats were losing elections, Max has been able to win.

1971-1975---Max Bacon was elected and served two terms as State Representative from Greene County---144th District, 76th General Assembly; 148th District (following redistricting), 77th General Assembly.

1975-1978---Max Bacon was elected and served as Division 3 Magistrate Judge for Greene County.

1977-1988---Max Bacon served two terms as Circuit Judge for Greene County, Circuit 31, Division 4, where he has the reputation of being a tough, no-nonsense, law and order Judge.

Additionally, in 1970 Max Bacon was appointed Prosecutor in Douglas and Dallas Counties. From 1968 to 1970 he served as Assistant City Attorney in Springfield.

MAX BACON IS CLOSE TO PEOPLE IN THE 7TH CONGRESSIONAL DISTRICT

Max Bacon was born and raised in Springfield. His family settled in the Ozarks in the 19th century. Max comes from a long line of southwest Missouri farmers and working people. His father, Herschel, retired as a Carpenter with a 40 year service pin from Springfield, Local 978.

Before entering public service, Max held several different jobs. He has been a clerk, a gas station attendant, a truck driver, union laborer and hod carrier. Max has served six years in the U. S. Army Reserves.

Max Bacon holds a lifetime teaching certificate and he has taught courses in the legislative and judicial systems at Springfield's Evangel College. His wife, Jenine, and his sister Kay are Springfield teachers and another sister, Nancy is married to a Springfield Baptist Minister.

Max Bacon is a member of the Northwest Baptist Church in Springfield (Southern Baptist).

Max's three sons are either attending or have graduated from Springfield public schools.

Max Bacon was born June 26, 1941. He received his BS in Education from Southwest Missouri State University in Springfield and his JD from the University of Missouri at Columbia.

MAX BACON CONGRESS

P.O. BOX 8235 ■ SPRINGFIELD, MISSOURI 65801-8235
417-869-5652

MEDIA MEMO

TO: Springfield Media

FROM: Max Bacon Campaign

RE: Walnut Street Arts Fest

On Sunday, May 8, 1988 Max Bacon will take advantage of the opportunity to speak at the Arts Fest Whistle Stop Speaking event to make a major statement concerning the issues in his campaign. These issues will be the centerpiece of the remaining three months of Bacon's 7th Congressional District contest. Bacon will state why they are important to Southwest Missouri and what he would do to address these issues if elected.

At this speaking event, Bacon will point out specific legislation he would introduce to attack the problems.

Bacon will speak at the Arts Fest on Walnut Street at 4:45 pm Sunday.

Contact: Gary Edward (417) 869-5652

**MAX
BACON
CONGRESS**

P.O. BOX 8235 ■ SPRINGFIELD, MISSOURI 65801-8235
417-868-5652

October 17, 1988

Dear High School Senior:

TOMORROW, OCTOBER 19TH, IS THE DEADLINE FOR YOU TO REGISTER TO VOTE! Remember you can't vote in November unless you are registered. It is possible for you to register at your school.

-Your birthdate occurs at the time which allows you to vote in the November 8th election...BUT, ONLY IF YOU ARE REGISTERED. You may register at your school office or at the courthouse. However, don't forget that all you have to do is walk to your school office and say you want to register to vote in the November elections.

This election year there are many important issues at stake which directly affect your life. For example, on the national level college grant funds have been drastically cut during the past few years. This is limiting the number of students who can enter college and in some cases hurting the quality of education at colleges. Congress must not allow this trend to continue. For that reason and others, your vote in the 7th District Congressional race is critical.

First, I hope you register before you leave school on Wednesday, October 19th. And when you do vote on November 8th, I hope I can count on your support. However, regardless of how you vote...just vote!

Sincerely,



MAX BACON

MAX BACON CONGRESS

P.O. BOX 8235 ■ SPRINGFIELD, MISSOURI 65801-8235

For Immediate Release 417-869-5652

IF ELECTED BACON WOULD RETAIN LOCAL CONGRESSIONAL OFFICE WITH STAFF FROM LOCAL AREA (some changes would occur however)

(Joplin, MO) 4-19-88 During a talk in Joplin today, Democratic Congressional candidate Max Bacon said, if elected he will keep the local Congressional district office open.

"I will take steps to insure that this service continues in Jasper County and Newton County and throughout the western portion of the 7th Congressional District," said Bacon.

Major purposes of a Congressional district office are to help local citizens solve their problems with the Federal government and to cut government red-tape.

Bacon outlined four proposals for the local Congressional office he would continue or implement:

1. The Joplin office would remain open and he would travel to Carthage, Neosho, Lawrence and McDonald counties on a regularly scheduled basis and meet with citizens so that people with Federal Government problems don't have to travel all the way to Joplin.
2. The Jasper County office staff would be made up of only people from this immediate area.
3. If elected, two national problems on which Bacon will concentrate are the budget/trade deficit and anti-drug efforts. The Joplin Congressional office frequently will report to Bacon on how the problems are directly effecting this area. These reports will be prepared after the Joplin office meets with local citizens including small businessmen, farmers and law enforcement officials. The information can be used to help draft legislation. Also, these reports will be issued to the local news media.
4. Bacon would implement a regulary scheduled monthly program called "Call Your Congressman." During regularly scheduled times, a person from Jasper, Newton or anywhere in this area would be able to come to the local Congressional office and make an appointment to call Bacon in Washington without cost over the WATS telephone line. They would be

(see other side)

free to talk about any aspect of the Federal Government or pending legislation.

"Congressional offices are always an important part of the community," said Bacon. "I would use it as a direct line between people in this area and Washington."

Bacon spoke in Joplin before northern Newton County Democrats.

-30-

For more information contact: Gary Edwards (417) 869-5652

91040323992

417-000

YES, I will financially support Max Bacon's campaign for Congress.

I've enclosed _____
(The Federal Government prohibits Corporate checks.)

YES, I would like to volunteer to help in the Max Bacon campaign.

hold a fund raiser hold a coffee office work phone banks

sign location literature distribution election day work

NAME(S) _____

ADDRESS _____

Occupation (fill out if you made a donation) _____

Employer (fill out if you made a donation) _____

City/State/Zip _____

Home Phone _____ Business Phone _____

PAID FOR BY: MAX BACON FOR CONGRESS COMMITTEE - WILLIAM COMPERE, CPA, TREASURER

Place
Stamp
Here

9 1 0 4 0 3 2 3 9 9 3

Max Bacon for Congress Committee
P.O. Box 8235
Springfield, MO 65801-8235

BACON



Max Bacon has a local, state and national reputation as a gospel concert and recording artist.

MAX BACON IS ONE OF US!

- Max Bacon comes from a long line of Southwest Missouri farmers and working people.
- Max Bacon's father, Herschel, retired as a carpenter.
- Max Bacon has been a clerk, gas station attendant, a truck driver, laborer and Evangel College teacher.
- Max Bacon served six years in the Army Reserves and recognizes the tremendous sacrifices of our veterans.
- Max Bacon was educated in the Springfield Public Schools.
- Max Bacon graduated from Southwest Missouri State University in Springfield.
- Max Bacon is a graduate of the Missouri University School of Law in Columbia.
- Max Bacon's wife and sister are teachers. He holds an outstanding education record in the Missouri Legislature.
- Max Bacon is a member of the Northwest Baptist Church in Springfield.

Paid for by the Max Bacon for Congress Committee • William Comper, CPA, Treasurer.



MAX BACON for Congress Committee
P.O. Box 8235
Springfield, Missouri 65801-8235
417-869-5652

MAX BACON CONGRES



"Tough on crime, tough on drugs, sensitive to victims — that describes Judge Max Bacon."

— Tom Mountjoy, President
Missouri Prosecuting Attorneys Association

Crime Fighter

Max Bacon has served the people of Southwest Missouri as a State Legislator, where he helped write many of our anti-crime laws. He also has served as a Circuit Court Judge and a Prosecutor.

Concern
Max Bacon is always ready to listen to the concerns of all people, such as senior citizens.

Max Bacon visiting with his aunt and uncle, Nolan and Mabel Bacon, who live in Joplin.



"Representative Max Bacon devoted countless hours of effort, demonstrating personal excellence and diligence in the representation of his district in the Missouri General Assembly."

— Missouri House of Representatives Resolution

Balanced Budget

As a family man, former State Legislator, and Southwest Missouri Judge, Max Bacon understands that a strong local and national economy and a balanced budget help your pocketbook.

20 YEARS OF PUBLIC SERVICE IN SOUTHWEST MISSOURI



Max Bacon: front row, fourth from right.



The Bacon Family
Greg, Jenine, Doug, Max, and Brad.

Family

Max Bacon is known as a strong believer in the traditional family values.

Roots

Max Bacon is a lifelong resident of Southwest Missouri. His family has lived here for over 100 years. He understands our concerns.



Max Bacon visiting local businessman Wade Williams.

91040823990
Dear Mr. Allen

Per our conversation on Thursday July 19, 1990 the enclosed
fliers were not printed at Master Printers. I am truly sorry
that we did not get back to you before this, and I hope we
did not create any more of a problem.

Sincerely

Debi Carcione
Recp/Sec

JUL 23 PM 3:38

ONLY A FEW YEARS AGO MEL HANCOCK WAS PRO-ABORTION

In 1984, Hancock changed his position, admitting that he once had a "tendency to lean toward pro-choice". (News-Leader, 10/12/84)

THE QUESTION IS: WHY DID HANCOCK FLIP-FLOP
ON THIS CRUCIAL ISSUE?

THE ANSWER IS: In 1984, Hancock, for political reasons only, announced he is now pro-life. It makes one wonder if Hancock is not just one of those "professional politicians who frequently changes his position based on expensive opinion polls". (Kansas City Star, 3/10/82)

It was because of this flip-flop and because Mel Hancock has not worked aggressively for the pro-life position that Mel Hancock was never endorsed by the Missouri Right to Life Committee during the primary! Only Dennis Smith, Gary Nodler, and Max Bacon received the Primary Election endorsement.

So where does Mel Hancock stand now? With his record of flip-flopping on this issue...

WILL HE FLIP-FLOP AGAIN?

Exhibit A

21040323997

See notes

MEL HANCOCK WILL TAX SOCIAL SECURITY

HERE ARE THE FACTS:

On August 24, 1988 in Branson, MO Mel Hancock said, "So, the Social Security benefit...I've wondered for a long-time, why social security is exempted (from being taxed). In the same paragraph Mel Hancock said, "There's going to start getting rid of some of the special exemption type things and reduce the (tax) rate, that's what I'm in favor of." Mel's comments are on audio tape and video tape. Channel 3 in Springfield ran a news story on Mel's remarks showing the words coming out of his mouth. Since that statement, Mel Hancock has been doing a lot of back-pedaling. In Anderson, MO on October 20th Mel said he was only joking. Mel Hancock is trying to back away from his own words, but there is no doubt that he wants to get rid of your social security tax exemptions. If Mel is elected and if he gets his way, a loss of your exemptions on social security would mean higher taxes.

Exhibit B

21040323998



Mel Hancock

MEL HANCOCK WILL LOWER THE MINIMUM WAGE!

Did you know that according to his Financial Disclosure Statement, Mel Hancock earned \$125,000 during 1987! BUT, Hancock, who is running for Congress here in southwest Missouri, wants to reduce the pay of people who earn minimum wage. Mel Hancock made that statement on September 1st in Mt. Grove.

FRIDAY, SEPT. 2, 1988

News-Journal ***Covering The Mtn. Grove Area***

Hancock was speaking before the Mountain Grove Chamber of Commerce's noon meeting on Thursday.

During the presentation Hancock also outlined his position on several additional topics.

...Opposes an increase in minimum wage

He indicated he would even consider a reduction of the minimum wage

That's right! Mel Hancock has no problem paying himself \$125,000, but he refuses to allow working men and women a minimum wage that just barely provides a salary you can live on.

Exhibit C

91040323999

HANCOCK HAS BEEN BRIDLED

You will notice that whenever Mel speaks publicly these days away from traditionally friendly groups, he speaks from a prepared text. There is a reason for this: He has been bridled by his staff. Since August, Mel has already made some serious blunders. Here are just two recent examples: On August 24th in Branson, Mel said he "didn't understand why Social Security was exempt from taxes." Channel 3 in Springfield ran a news report on his exact statement. Since that time Mel has spent hours trying to explain "what he really meant."

On September 22nd during a taped interview on KTTS radio in Springfield, Mel was asked about his ties to the Libertarian party. Amazingly, he said he "supports many of their economic policies" and he said the Libertarian party has adopted many of the "policies on which this nation is founded." Since that time Mel has tried to do some back pedaling trying to prove he's not an extreme right winger, however, the statements are still on tape.

MEL IS TRYING TO BACK OFF OF EARLY STATEMENTS THAT HE WANTS TO GET RID OF ALL EXEMPTIONS AND IMPLEMENT A FLAT-RATE TAX

While running for U.S. Senate in 1982 Hancock took the following position on federal income taxes:

"He (Hancock) favors a federal income tax that would charge taxpayers a flat percentage rate of income and eliminate exemptions. (The St. Charles Post, 7-27-82)

This is the same position that Hancock has advocated during the present Congressional campaign at the now famous Branson speech when Hancock said he couldn't understand why social security tax exemptions were needed.

Hancock has also advocated the elimination of exemptions from Missouri State sales tax. (Daily News, 12/5/85)

Of course, such a plan would kill your home mortgage exemption and your dependant deductions, to name just two.

Please see other side

THINGS YOU SHOULD KNOW ABOUT MEL HANCOCK

IS MEL HANCOCK REALLY A REPUBLICAN?

Last year Mel Hancock considered running for Governor as Libertarian against John Ashcroft because of his many differences with Ashcroft. He also considered running as an Independent and some suggested he switch to the Democrats. St. Louis Post Dispatch, 10-5-87

MEL HANCOCK DID NOT GET ANY OF THE MAJOR SW MISSOURI FARM ENDORSEMENTS...AN AMAZING FAILURE FOR A GOP CANDIDATE

The Farm Bureau endorsed Hancock's opponent Max Bacon.

ADEPT, the education arm of Mid-America Dairy here in Springfield gave financial support to Bacon but not to Hancock.

The education arm of the National REA also gave financial support to Bacon and not to Hancock.

MEL HANCOCK IS CONSTANTLY BREAKING PROMISES

While campaigning for the Hancock Amendment, Mel promised to never run for public office (Post-Dispatch 4-29-81). Since then, Mel has become a perennial candidate. He has run for office three times and additionally has considered running on three other occasions (Secretary of State in 1981; Governor in 1987; and Lt. Governor again in 1987.)

Hancock has dramatically changed his position on abortion over the years. In 1982 Hancock opposed a federal constitution amendment banning abortion. Springfield News-Leader 7-18-82 and St. Louis Post Dispatch 8-1-82.

In 1984 while running against Harriett Woods, Hancock flip-flopped and became strongly pro-life.

It makes one wonder if Hancock is not just one of those "professional Politicians who frequently changes his position based on expensive opinion polls." Kansas City Star, 3-10-82

Please see other side

Exhibit D Page 2 of 2

21040324001

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Max Bacon for Congress Committee) MUR 2784
and William R. Compere, as)
treasurer)
Max Bacon)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On November 15, 1988 the Office of the General Counsel received a complaint that provided copies of four flyers that do not contain disclaimers (Attachment 1, Exhibits A-D). In addition, the complaint included photos of a 4 by 8 foot sign and a truck trailer painted to read "Max Bacon for Congress." Neither of these signs contained disclaimers. The complaint asserted that the flyers were distributed during the campaign and that they advocated the defeat of Max Bacon's clearly identified opponent, Mel Hancock. The Federal Election Campaign Act of 1971, as amended ("the Act"), provides that whenever any person makes an expenditure for the purpose of financing a communication expressly advocating the election or defeat of a clearly identified candidate, such communication must include a disclaimer concerning who paid for and authorized the communication. 2 U.S.C.

§ 441d(a). On June 29, 1989, the Commission found reason to believe that the Max Bacon for Congress Committee and William R. Compere, as treasurer ("the Committee"), and Max Bacon violated 2 U.S.C. § 441d(a). Also on that date, the Commission approved this Office's discovery requests. This Office has investigated this matter, and given 1) the difficulty and unlikelihood of establishing a clear connection between the Committee and the

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FEDERAL ELECTION COMMISSION

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creation and distribution of the flyers, and 2) the difficulty in investigating and the small magnitude of the possible violation regarding the signs, this Office now recommends that the Commission take no further action and close the file in this matter.

II. ANALYSIS

A. Flyers

Max Bacon, in his responses to the interrogatories, claimed no knowledge of any of the flyers (Attachment 2, page 7). The Committee's interrogatory responses assert that Gary Edwards, Max Bacon's Campaign Manager, ordered the printing of one of the flyers (Attachment 1, Exhibit A ("flyer A")) at a cost of \$48.58 paid for by the Committee (Attachment 2, page 1). The response states that neither the Committee treasurer nor Campaign Chairman Tom Mountjoy had any knowledge of this flyer nor did either person authorize its printing (Attachment 2, page 2). The response asserts that the copies of this flyer were never distributed but were destroyed. The response adds that if the flyer had been distributed, a disclosure stamp would have been used to show who was paying for the item. Finally, the response states that no one connected with the Committee paid for or authorized the printing of the other three flyers (Attachment 1, Exhibits B-D) nor did anyone connected with the Committee distribute these with the

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knowledge or authorization of the Committee.¹

The Committee's interrogatory responses also list three printers and/or copy shops that it used: Master Printers, Moore Printing, and P.I.P. Printers. The complaint asserts that P.I.P. Printers printed copies of Edwards' flyer.

In May, 1990, this Office wrote to the three print shops as nonrespondent witnesses, querying whether they recognized any of the four flyers, and if so, to state the source of such flyers (Attachment 3). Also in May this Office wrote to the Committee asking it to provide copies of all brochures, flyers, etc. issued by the campaign so as to provide comparison with the four flyers included with the complaint in this matter (Attachment 4).

Two of the shops responded in writing; this Office spoke with the third shop but it never provided a written response (Attachment 5). P.I.P. Printers responded on June 18, 1990 that flyer A had been printed on its premises. The order was brought in by campaign manager Gary Edwards; after the order was placed, someone from the campaign called and told the printer not to invoice the copies to the Committee and that someone else would pick up and pay for the order. Later that day the copies were picked up "by a young woman in her late teens or early twenties, who would not give her name and wanted no receipt." She paid cash

1. The large print on flyer A resembles that on one of the other flyers (Attachment 1, Exhibit B); these two flyers thus appear to have been made with the same or similar software and/or printer. (The small print on these two flyers, however, is not similar). Thus, it is possible that Edwards may have been responsible for more than the one flyer acknowledged in the Committee's interrogatory responses.

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for the copies (Attachment 5, page 2). According to the Committee's interrogatory response noted above, these copies were destroyed.

The Committee responded on July 16, 1990, submitting copies of flyers produced during the campaign (Attachment 6). The print of one of the flyers (Attachment 6, page 6 ("flyer 6")) resembles that of one of the flyers included in the complaint (Attachment 1, Exhibit D). This Office contacted counsel for the Committee on September 19, 1990, and requested information regarding flyer 6. Counsel told this Office that the Committee was defunct and that campaign manager Gary Edwards had left the area; counsel did not know where Edwards went. The Committee/Max Bacon response to the complaint stated that Edwards left the area soon after the 1988 election.

B. Signs

In response to the complaint, the Committee and Max Bacon state that campaign workers painted and erected many signs similar to the 4' by 8' sign noted in this matter. The response states that the campaign included disclaimers on its signs, but that other people in the congressional district made similar signs without the campaign's knowledge or authorization.

The response to the complaint also notes that the trailer sign was painted by Max Bacon, his wife, and volunteers using old paint Bacon had in his garage. The trailer was owned by a friend of Max Bacon's and was described as old and used for storage; it was loaned to Bacon for the campaign. The response states that because the campaign expended no funds for the trailer

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sign, it included no disclaimer. The use of the trailer, however, presumably had some rental value. In response to the interrogatories, the Committee and Max Bacon individually both stated that the Committee did not list the use of the trailer as an in-kind contribution and that the value of the use of the trailer was "unknown, if any" (Attachment 2, pages 4, 10). If the value of this loan was less than \$200, it need not have been itemized by the Committee as a contribution or, if less than \$250, by the owner as an independent expenditure. See 2 U.S.C. §§ 434(b)(3)(A), (c)(1). Nevertheless, pursuant to 2 U.S.C. § 441d(a)(2), whenever a person other than a candidate or the candidate's committee makes an expenditure for purpose of financing a communication expressly advocating the election of a clearly identified candidate and this communication is authorized by the candidate, such communication shall clearly state that the communication is paid for by such other person and authorized by the authorized political committee. In the present matter, only the trailer was provided by its owner; the candidate, his wife, and volunteers painted the sign using old paint that belonged to the candidate. Thus, the trailer owner only financed part of the communication.

C. Further Inquiry Not Recommended

Regarding the flyers, this Office could undertake an effort to locate Gary Edwards, and through him perhaps the young woman who picked up and paid for flyer A. Edwards might be able to provide this Office information regarding the creation, distribution, and destruction of the flyers. In addition, this

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Office could ask complainant how he obtained copies of the four flyers that were the subject of his complaint.

Although with additional investigation this Office might be able to establish a greater connection connection between flyer A and the Committee beyond Gary Edwards' role and possibly discover whether the flyer was distributed (complainant did get a copy somehow), such an investigation might not be a justifiable use of the Commission's resources. This Office does not know the whereabouts of campaign manager Edwards and does not know the identity of the woman who picked up flyer A the printers. The connection between flyer A and flyer 6 based on similar print type is suggestive but not dispositive, and as noted, counsel has told this Office that no one connected with the flyer is available to question about it.

In regard to the signs, there remains the uncertainty over whether the Bacon Committee constructed the 4' by 8' sign and the apparent lack of funds expended on the trailer sign, the uncertain rental value of the trailer, and the fact that the trailer owner only provided the trailer, not the sign itself. This Office is of the opinion that further inquiry regarding the signs long after the 1988 election and the dissolution of the Bacon Committee would be time consuming and not worth the use of Commission resources regarding what at most would amount to a small violation.

This Office therefore recommends that the Commission use its prosecutorial discretion, take no further action and close the file in this matter. See Heckler v. Chaney, 470 U.S. 821 (1985).

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III. RECOMMENDATION

Take no further action, close the file in this matter, and approve the appropriate letters.

Lawrence M. Noble
General Counsel

1/9/91
Date

BY: 
Lois G. Verner
Associate General Counsel

Attachments

1. Copies of flyers (4)
2. Responses to interrogatories
3. Letters to print shops (3)
4. Letter to Bacon Committee
5. Responses from print shops (2)
6. Response from Bacon Committee

Staff Assigned: Mark Allen

91040324008

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Max Bacon for Congress Committee) MUR 2784
and William R. Compere, as)
treasurer;)
Max Bacon.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on January 15, 1991, the Commission decided by a vote of 5-0 to take no further action, close the file in this matter, and approve the appropriate letters in MUR 2784, as recommended in the General Counsel's Report dated January 9, 1991.

Commissioners Aikens, Elliott, Josefiak, McDonald, and McGarry, voted affirmatively for the decision; Commissioner Thomas did not cast a vote.

Attest:

1/15/91
Date

Hilda Arnold
for Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Wed., Jan. 9, 1991 4:32 p.m.
Circulated to the Commission: Fri., Jan. 11, 1991 12:00 p.m.
Deadline for vote: Tues., Jan. 15, 1991 4:00 p.m.

dr

91040324009



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 22, 1991

CLOSED

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jean Paul Bradshaw II, Chairman
Greene County Republican Central Committee of Missouri
P.O. Box 10327
Springfield, MO 65808

RE: MUR 2784

Dear Mr. Bradshaw:

This is in reference to the complaint you filed with the Federal Election Commission on November 4, 1988, concerning campaign signs erected and flyers allegedly produced by Max Bacon and the Max Bacon for Congress Committee during 1988.

Based on that complaint, on June 27, 1989, the Commission found that there was reason to believe Max Bacon violated 2 U.S.C. § 441d(a) and the Max Bacon for Congress Committee and William Compere, as treasurer, violated 2 U.S.C. § 441d(a), a provision of the Federal Election Campaign Act of 1971, as amended. Thereafter, the Commission instituted an investigation of this matter. On January 15, 1991, the Commission decided to take no further action regarding the violations. Therefore, on that date the Commission closed the file in this matter. This matter will become part of the public record within 30 days. The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

If you have any questions, please contact Mark Allen, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
General Counsel's Report

91040324010



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 22, 1991

Michael Baker, Esq.
1200 E. Woodhurst Drive
Bldg. A Suite 200
Springfield, MO 65804

RE: MUR 2784
Bacon for Congress Committee
and William Compere, as
treasurer

Dear Mr. Baker:

On July 11, 1989, your clients were notified that the Federal Election Commission found reason to believe that they violated 2 U.S.C. § 441d(a). On September 13 and November 13, 1989, you submitted responses in this matter.

After considering the circumstances of the matter, the Commission determined on January 15, 1991, to take no further action against the Bacon for Congress Committee and William Compere, as treasurer, and closed the file in this matter. The file will be made part of the public record within 30 days. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days of your receipt of this letter. Such materials should be sent to the Office of the General Counsel.

If you have any questions, please contact Mark Allen, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: 
Lois G. Berner
Associate General Counsel

91040324011



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 22, 1991

Rob Aiken, Esq.
300 John Q. Hammons Parkway
Suite 603
Springfield, MO 65806

RE: MUR 2784
Max Bacon

Dear Mr. Aiken:

On July 11, 1989, your client, Max Bacon, was notified that the Federal Election Commission found reason to believe he violated 2 U.S.C. § 441d(a). On August 16, 1989, you submitted a response in this matter.

After considering the circumstances of the matter, the Commission determined on January 15, 1991, to take no further action against Max Bacon, and closed the file in this matter. The file will be made part of the public record within 30 days. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days of your receipt of this letter. Such materials should be sent to the Office of the General Counsel.

If you have any questions, please contact Mark Allen, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel


BY: Lois G. Lerner
Associate General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 8784

DATE FILMED 2/2/91 CAMERA NO. 1

CAMERAMAN AS

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