

BEFORE THE FEDERAL ELECTION COMMISSION

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2
3 In the Matter of)
4)
5 MUR 6182)
6 ANDRE WALKER) CASE CLOSURE UNDER THE
7 DAVID SCOTT FOR CONGRESS) ENFORCEMENT PRIORITY SYSTEM
8 AND HENRY AARON, AS TREASURER)
9

GENERAL COUNSEL'S REPORT

12 Under the Enforcement Priority System, matters that are low-rated _____

13 _____ are
14 forwarded to the Commission with a recommendation for dismissal, or in certain cases where the
15 complaint is speculative in nature, a no reason to believe finding.

16 The complainant, David Knox, states that a blogger, Andre Walker, supported the re-
17 election of Congressman David Scott, who represents Georgia's Thirteenth Congressional
18 District, by posting certain information favorable to the candidate to his blog called Georgia
19 Politics Unfiltered (<http://georgiaunfiltered.blogspot.com>). Specifically, the complainant notes
20 that the financial disclosure reports filed by David Scott for Congress and Henry Aaron, in his
21 official capacity as treasurer ("the Committee"), reveal that the Committee paid Mr. Walker a
22 total of \$2,950 for "Internet Consulting" between October 2007 and July 2008,¹ and, therefore,
23 Mr. Walker's blog should have disclosed the payments by placing a disclaimer on the blog,
24 pursuant to the Federal Election Campaign Act of 1971, as amended ("the Act").

25 In response, Mr. Walker stated that his blog, which he asserts began in 2005, covered
26 federal, state, and local issues, including interviews with Mr. Scott's general election opponent,
27 Deborah Honeycutt, as well as Congressman Scott's re-election campaign. While Mr. Walker

¹ The Committee's reports disclose that Mr. Walker was paid \$700 in October 2007 and \$250 per month thereafter from November 2007 through July 2008.

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1 did not deny receiving disbursements from the Committee, he stated that they were for work he
2 performed, independent of his blog, to modernize the Committee's website at
3 www.davidscottforcongress.com. Finally, Mr. Walker denied that the Committee had provided
4 funding for the blog.

5 The Committee, in its response, acknowledged that it had contracted with Mr. Walker for
6 internet consulting services primarily related to developing, constructing and maintaining its
7 campaign website, and included a copy of an invoice from Mr. Walker for \$250, for "monthly
8 web maintenance." The Committee also denied that the disbursements described in the
9 complaint were related to Mr. Walker's blog, or that the blog focused primarily on Congressman
10 Scott, but instead stated that it covered a wide variety of national, state and local activities.
11 Finally, the Committee denied that Mr. Walker has ever been its official publicist, spokesperson
12 or representative, and included a sworn affidavit from Congressman Scott reiterating that his
13 committee had paid Mr. Walker solely for his work on the campaign website.

14 Based on the speculative nature of the complaint, the responses, including Congressman
15 Scott's sworn affidavit, and the fact that the Committee's disbursements to Mr. Walker appear to
16 be reasonable reimbursements for services rendered, we recommend that the Commission find
17 that there is no reason to believe that Mr. Walker or the Committee violated the Act.

18 **RECOMMENDATIONS**

- 19 1. Find no reason to believe that Andre Walker violated the Federal Election Campaign Act
20 of 1971, as amended.
21
22 2. Find no reason to believe that David Scott for Congress and Henry Aaron, in his official
23 capacity as treasurer, violated the Federal Election Campaign Act of 1971, as amended.
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25 3. Close the file and send the appropriate letters.


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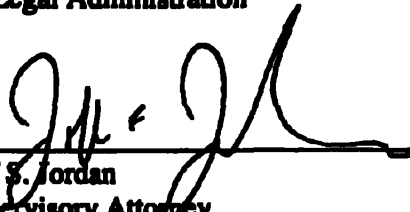
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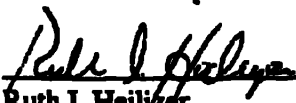
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