

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

David Esrati
100 Bonner Street
Dayton, Ohio 45410
Plaintiff,

Civil Action No. 1:26-cv-01498-CJN

v.

Federal Election Commission
1050 First Street, NE
Washington, DC 20463
Defendant.

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

INTRODUCTION

1. This case concerns the Federal Election Commission's failure to provide the disclosure required by federal law. The Federal Election Campaign Act mandates public reporting of the sources of political contributions so that voters and candidates may identify who is financing federal elections. The FEC administers a system that does not reliably identify contributors, does not permit reliable aggregation of contributions by individual donor, and does not provide intelligible disclosure to the public. As a result, the statutory right to disclosure is denied in practice.

2. The Supreme Court has upheld campaign finance disclosure as a critical component of the statutory scheme permitting political spending. *Buckley v. Valeo*, 424 U.S. 1 (1976); *Citizens United v. Federal Election Commission*, 558 U.S. 310 (2010). A system that fails to identify contributors and their aggregate financial influence does not satisfy the disclosure those decisions rely upon.

3. This case concerns the failure of the Federal Election Commission ("FEC") to fulfill its statutory duty to provide meaningful public disclosure of the financing of federal elections and to enforce federal campaign finance law.

4. Federal law requires disclosure of campaign contributions and expenditures so that voters may understand who is funding candidates for public office.

5. The disclosure system administered by the FEC does not provide reliable or intelligible information about the sources of political funding.

6. Contributors may appear under multiple variations of a name, preventing accurate aggregation and identification.

7. Conduit platforms such as ActBlue and WinRed are prominently reflected in campaign finance records in a manner that can obscure the identity of the underlying donors.

8. Data fields are free-form, inconsistently formatted, and lack standardized identifiers, preventing reliable aggregation or verification of contributor identity by the public.

9. At the same time, the FEC fails to take timely and meaningful enforcement action in response to apparent violations of federal campaign finance law.

10. The result is a system in which political money flows freely while the public is denied meaningful visibility into its source.

11. This case does not ask the Court to redesign the campaign finance system. It asks the Court to recognize that the system, as administered, fails to meet the requirements and purposes of federal law.

12. The FEC does not operate a system of verified disclosure; it operates a system of unverified reporting.

JURISDICTION AND VENUE

13. This Court has jurisdiction under *28 U.S.C. § 1331*.

14. This action arises under the Federal Election Campaign Act ("FECA"), 52 U.S.C. § 30101 et seq., and the Administrative Procedure Act ("APA"), 5 U.S.C. § 701 et seq.

15. Declaratory relief is authorized by 28 U.S.C. § 2201.

16. Injunctive relief is authorized by 28 U.S.C. § 2202.

17. Venue is proper in this District under 28 U.S.C. § 1391(e) because Defendant is headquartered in this District.

PARTIES

18. Plaintiff David Esrati is a resident of Dayton, Ohio. He is a voter and a candidate for federal office.

19. Plaintiff is entitled to access meaningful information regarding the sources of political funding.

20. Plaintiff is subject to the regulatory regime administered by the FEC.

21. Defendant Federal Election Commission is the agency responsible for administering and enforcing FECA.

FACTUAL ALLEGATIONS

A. Purpose of Disclosure

22. FECA requires candidates and political committees to disclose contributions and expenditures.

23. The purpose of disclosure is to inform the electorate and promote accountability.

24. The Supreme Court has emphasized that disclosure enables voters to evaluate the sources of political funding.

25. Disclosure that is inconsistent, fragmented, or unintelligible does not fulfill that purpose.

B. Statutory Requirements of Disclosure

26. FECA requires political committees to report the name, mailing address, occupation, and employer of each individual contributor whose contributions exceed the statutory reporting threshold, along with the date and amount of the contribution. See 52 U.S.C. § 30104(b)(3)(A).

27. These requirements are intended to permit identification of contributors and evaluation of the sources of political funding.

28. Disclosure that does not permit identification and aggregation of contributions by individual donor does not satisfy these statutory requirements.

29. The FEC is responsible for administering and enforcing these requirements in a manner that produces usable public disclosure.

C. Breakdown of Meaningful Disclosure

30. The FEC maintains a public database of campaign finance activity.

31. That system does not reliably identify contributors.

32. The same individual may appear under multiple variations of a name.

33. The system lacks a consistent identity mechanism to associate contributions with a single verified individual.

34. Data fields are inconsistent and not standardized in a manner that permits reliable aggregation.

35. As a result, the public cannot determine with confidence the total contributions of a given individual.

36. Because FECA requires disclosure of contributors, a system that does not permit identification and aggregation of contributions by individual donor fails to provide the disclosure required by law.

37. The FEC's administration of its disclosure system therefore does not satisfy its statutory obligations.

D. Example of Fragmented Donor Identity

38. Publicly available campaign finance records demonstrate the fragmentation of donor identity.

39. As reflected in **Exhibit 1**, records associated with a nationally recognized donor appear under multiple name variants, including "Steven Cohen," "Steven A. Cohen," "Steven A. Cohen MR," and "Stephen Cohen," with overlapping geographic and employer identifiers.

40. Plaintiff uses this example solely to illustrate systemic data inconsistencies and does not allege that all such records correspond to a single individual.

41. These records reflect substantial political contributions distributed across inconsistent identities.

42. The system provides no reliable mechanism for the public to determine whether such records represent a single donor or multiple individuals.

43. This ambiguity defeats the purpose of disclosure.

E. Conduit Reporting Obscures Donor Identity

44. Modern campaign fundraising frequently occurs through online platforms such as ActBlue and WinRed, which function as conduits for individual contributions.

45. Under federal law, these platforms are not the true source of contributions; the individual donor is.

46. However, in practice, campaign finance records frequently list the conduit entity in a manner that obscures the identity of the underlying donors.

47. Contributions processed through these platforms may appear aggregated or prominently associated with the conduit rather than clearly attributable to individual contributors.

48. As reflected in Exhibit 2, campaign finance filings may record a contribution through multiple related entries, including the individual donor entry and a corresponding conduit or earmarked entry referencing an intermediary entity such as ActBlue.

49. Such filings may include notations such as "Earmarked Contribution: See Below" or similar language, requiring the public to trace the relationship between donor, conduit, transaction identification, and aggregate fields.

50. This presentation, combined with inconsistent data formatting and lack of standardized identity matching, prevents the public from easily determining the true sources of political funding.

51. Where the disclosure system presents conduit entities in a manner that obscures the identity of the underlying individual contributors, the statutory requirement to disclose the true source of contributions is not met.

52. A disclosure system that requires expert reconstruction to identify actual donors does not satisfy the statutory purpose of informing the electorate.

F. Fragmentation Across Multiple Reporting Mechanisms

53. The FEC disclosure system also relies on multiple reporting forms and timing mechanisms rather than a single unified, real-time public ledger.

54. As reflected in **Exhibit 3**, 48-hour notices for late-cycle contributions are reported through a separate form and process from ordinary receipts and disbursements reports.

55. These separate reporting streams require the public to review multiple filings, formats, and reporting periods to reconstruct campaign finance activity.

56. A disclosure system that requires reconstruction across multiple filings and formats does not provide the accessible public disclosure required by FECA.

57. The existence of multiple reporting mechanisms further demonstrates that the FEC does not provide a single coherent, accessible, and timely dataset for public use.

G. Real-World Identity Verification Exists Elsewhere

58. Individuals interacting with the federal government are routinely required to verify their identity, including through systems such as **ID.me** and **Login.gov**.

59. Access to federal services, including benefits and records, requires identity verification.

60. Federal contractors must register in centralized systems.

61. Lobbyists must register and disclose their activities.

62. Voters are required to register to vote, and many jurisdictions require voters to present identification at the polls.

63. Recent political debate over the **SAVE Act** has focused on additional verification burdens for voters, including citizenship and name-matching issues.

64. By contrast, campaign finance disclosure does not provide any consistent or verifiable identification of contributors.

65. This disparity highlights the failure of the current system to meet its statutory purpose.

H. Failure to Enforce

66. The FEC is responsible for enforcing federal campaign finance law.

67. Plaintiff has identified conduct that appears to violate FECA, including financial activity occurring prior to required registration and reporting.

68. Such conduct constitutes a violation of federal reporting requirements under FECA.

69. Plaintiff has brought or identified such violations to the attention of the FEC.

70. The FEC has failed to take enforcement action within a reasonable time.

71. This failure undermines compliance and accountability.

I. Reliance on Self-Reporting Undermines Accuracy and Enforcement

72. The FEC disclosure system relies primarily on candidates and political committees to self-report contribution and expenditure data.

73. This structure assumes accurate and consistent reporting by regulated entities with a direct interest in the outcome of elections.

74. In practice, reporting errors, inconsistencies, and omissions are common, whether intentional or inadvertent.

75. These issues are compounded by the absence of standardized identity controls and real-time verification mechanisms within the reporting system.

76. As a result, the accuracy of the public record depends on after-the-fact review and enforcement, rather than reliable data collection at the time and point of transaction.

77. The limitations of self-reporting are further illustrated by documented complaints regarding campaign activity occurring prior to proper registration and reporting, including in Plaintiff's own election.

78. A disclosure system that depends on inconsistent self-reporting, without effective validation or timely enforcement, cannot reliably fulfill its statutory purpose of informing the electorate.

J. Filing Architecture Adds Burden Without Solving the Disclosure Problem

79. The FEC's current reporting architecture also imposes unnecessary complexity on candidates and committees without solving the core problem of unreliable disclosure.

80. The FEC's free filing software has been maintained as a Windows-only system, and its import process requires conversion of ordinary spreadsheet data into a specialized format rather than accepting ordinary CSV data commonly used in modern online data reporting environments.

81. These filing burdens fall especially hard on small campaigns and independent candidates, while still failing to ensure verified, consistent, and intelligible public disclosure.

82. A modern transaction-based reporting system could collect contribution and disbursement information at the point of transaction and reduce reliance on after-the-fact reconstruction, amendment, audit, and enforcement.

83. Plaintiff does not ask this Court to design or mandate such a system. Plaintiff alleges that the current system's complexity and lack of verification further demonstrate that the FEC's administration of disclosure fails its statutory purpose.

K. Illustrative Exhibits Demonstrating Systemic Disclosure Failure

84. Plaintiff attaches exhibits to illustrate systemic deficiencies in the FEC's campaign finance disclosure system.

85. **Exhibit 1** demonstrates fragmentation of donor identity by showing multiple name variants and overlapping geographic and employer identifiers for records associated with a nationally recognized donor.

86. **Exhibit 2** demonstrates transaction fragmentation through conduit reporting by showing individual donor entries paired with conduit or earmarked entries referencing ActBlue.

87. **Exhibit 3** demonstrates fragmentation across multiple reporting mechanisms by showing a separate 48-hour notice of contributions received within the late-cycle reporting period.

88. Taken together, Exhibits 1 through 3 demonstrate that the FEC's disclosure system does not provide consistent contributor identity, records transactions in fragmented formats, and relies on multiple reporting mechanisms rather than a unified disclosure system.

89. As a result, the system produces data that obscures rather than clarifies the sources and scale of political funding.

L. Injury

90. FECA entitles Plaintiff, as a voter and candidate, to disclosure of the sources of political contributions.

91. Because the FEC's system does not provide identifiable and intelligible contributor information, Plaintiff is deprived of information that federal law requires to be publicly available.

92. This deprivation impairs Plaintiff's ability to evaluate opponents, respond to funding sources, and participate in the electoral process.

93. This constitutes a concrete informational injury.

CLAIMS FOR RELIEF

COUNT I

Agency Action Unlawfully Withheld or Unreasonably Delayed

(5 U.S.C. § 706(1))

94. Plaintiff incorporates by reference the preceding paragraphs.

95. Defendant has failed to take required enforcement action on violations of FECA identified by Plaintiff.

96. Such failure constitutes agency action unlawfully withheld or unreasonably delayed.

COUNT II

Denial of Informational Rights

97. Plaintiff incorporates by reference the preceding paragraphs.

98. Defendant has failed to provide disclosure of contributor information as required by FECA.

99. Plaintiff is deprived of access to information that federal law requires to be disclosed.

COUNT III

Arbitrary and Capricious Agency Action

(5 U.S.C. § 706(2)(A))

100. Plaintiff incorporates by reference the preceding paragraphs.

101. Defendant administers a disclosure system that does not produce the contributor information required by statute.

102. Administering a system that fails to provide required disclosure is contrary to law and inconsistent with the statutory scheme.

103. Such action is arbitrary and capricious.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff requests:

A declaration that Defendant has failed to fulfill its statutory obligations;

A declaration that Defendant has failed to provide meaningful disclosure;

An order compelling Defendant to act on violations consistent with law;

An order requiring Defendant to ensure that campaign finance disclosures provide identifiable contributor information consistent with FECA;

Such other relief as the Court deems just and proper.

Respectfully submitted,



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