



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

February 13, 2025

By UPS and Email

brian@endcitizensunited.org

Tiffany Muller
End Citizens United
P.O. Box 66005
Washington, DC 20035

RE: MUR 8263
Esposito for Congress and
Taylor Moose in her official
capacity as treasurer
Alison Esposito

Dear Ms. Muller:

On January 8, 2025, the Federal Election Commission reviewed the allegations in your Complaint received May 20, 2024, and on the basis of the information provided in the Complaint and information provided by the respondents, determined to exercise its prosecutorial discretion to dismiss the allegations contained in the Complaint. Accordingly, the Commission closed the file in this matter.

Documents related to the case will be placed on the public record today. *See* Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702 (Aug. 2, 2016). A copy of the General Counsel's Report, which more fully explains the Commission's finding, is enclosed.

The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action within 60 days of the dismissal, which became effective today. *See* 52 U.S.C. § 30109(a)(8).

If you have any questions, please contact Kenneth Sealls, the attorney assigned to this matter, at (202) 694-1210.

Sincerely,

Lisa J. Stevenson
Acting General Counsel

A handwritten signature in black ink, appearing to read "Lisa J. Stevenson".

BY: Anne B. Robinson
Assistant General Counsel

BEFORE THE FEDERAL ELECTION COMMISSION

ENFORCEMENT PRIORITY SYSTEM

DISMISSAL REPORT

MUR: 8263

Respondents: Esposito for Congress and Taylor Moose in her official capacity as treasurer
Alison Esposito

Complaint Receipt Date: May 20, 2024

10 **Response Date:** June 11, 2024

Alleged Statutory and Regulatory Violations:

52 U.S.C. § 30114(b)
11 C.F.R. § 113.1(g)

16 The Complaint alleges that 2024 congressional candidate Alison Esposito and her
17 principal campaign committee, Esposito for Congress and Taylor Moose in her official capacity
18 as treasurer (the “Committee”),¹ violated the Federal Election Campaign Act of 1971, as
19 amended (the “Act”), by converting campaign funds to personal use when the Committee paid a
20 New York City parking vendor \$1,083 on November 22, 2023, \$529 on January 2, 2024, and
21 \$529 on February 1, 2024, for a total of \$2,141, allegedly for Esposito’s personal parking.² The
22 Committee states that the payments were “mistaken” and that it reversed the January 2 and
23 February 1, 2024 payments 21 days before the Complaint was filed, that Esposito reimbursed the
24 Committee for the November 22, 2023 payment two days after the Complaint was filed but two

¹ Esposito for Congress, Statement of Organization (Oct. 10, 2023). Esposito was defeated in the November 2024 general election. See NY State Board of Elections General Election Results (Nov. 27, 2024), <https://nyenr.elections.ny.gov/> (click the drop-down menu under “Contest”, select “U.S. Congress”, then select under “Districts” the drop-down menu and select “CD 18”, then click “Search”).

² Compl. at 2 (May 20, 2024).

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EPS Dismissal Report

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1 days before the Committee received the Complaint, and that it would disclose the chargebacks
2 and reimbursement on its next report.³

3 Based on its experience and expertise, the Commission has established an Enforcement
4 Priority System using formal, pre-determined scoring criteria to allocate agency resources and
5 assess whether particular matters warrant further administrative enforcement proceedings. These
6 criteria include (1) the gravity of the alleged violation, taking into account both the type of
7 activity and the amount in violation; (2) the apparent impact the alleged violation may have had
8 on the electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent
9 trends in potential violations and other developments in the law. This matter is rated as low
10 priority for Commission action after application of these pre-established criteria. Given that low
11 rating, as well as the low apparent dollar amount at issue, we recommend that the Commission
12 dismiss the Complaint consistent with the Commission's prosecutorial discretion to determine
13 the proper ordering of its priorities and use of agency resources⁴ and close the file as to all
14 Respondents effective 30 days from the date the certification of this vote is signed (or on the next

³ Resp. at 2 (June 11, 2024); *see* Esposito for Congress 2024 Pre-Primary Report at 62 (June 13, 2024), <https://docquery.fec.gov/pdf/567/202406139649012567/202406139649012567.pdf> (reflecting vendor refunds for incorrect payments to Icon Parking and reimbursement to Alison Esposito totaling \$2,141).

⁴ *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).

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1 business day after the 30th day, if the 30th day falls on a weekend or holiday) and send the
2 appropriate letters.

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4

Lisa J. Stevenson
Acting General Counsel

5 December 16, 2024

6 Date

7

BY:

Claudio J. Pavia

Deputy Associate General Counsel

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9
10

Anne Robinson

Anne B. Robinson
Assistant General Counsel

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12
13

Kenneth E. Sealls

Kenneth E. Sealls

Attorney