

BEFORE THE UNITED STATES
FEDERAL ELECTION COMMISSION

Mark Rosenberg

MUR 7988

Northbrook, IL 60062

April 22, 2022

Lisa J. Stevenson, Acting General Counsel
Office of General Counsel
Federal Election Commission
1050 First Street, NE
Washington, DC 20463

Re: Joseph Severino and Severino for Congress Violations of 52 U.S.C. 30104(a)(2)

Dear Ms. Stevenson:

I file this Complaint pursuant to 52 U.S.C. § 30109(a)(1) against Severino for Congress, and against Joseph Severino both in his capacity as a candidate for Illinois' Tenth Congressional District, and as the Treasurer of Severino for Congress (collectively, the "*Respondents*"), for violations of the Federal Election Campaign Act of 1971, as amended (the "*Act*") and Federal Election Commission ("*FEC*" or the "*Commission*") regulations.

Specifically, Severino for Congress has failed to file a single campaign finance report since registering with the Commission on July 7, 2020, including required quarterly and year-end FEC reports, in violation of 52 U.S.C. 30104(a)(2) and 11 C.F.R. § 104.5(a). I request that the Commission immediately investigate these violations and require Joseph Severino and Severino for Congress to fulfill their legal obligations and give Illinois voters the transparency they deserve.

Factual Background

Severino for Congress ("*Severino for Congress*" or the "*Committee*") is the principal campaign committee of Joseph Severino's campaign to represent Illinois' Tenth Congressional District in the United States House of Representatives.¹ Joseph Severino first filed a Statement of Candidacy for the 2020 election with the Commission on July 7, 2020.² Severino for Congress filed a Statement of Organization the same day.³ The Statement of Candidacy designated Severino for Congress as the principal campaign committee of Joseph Severino.⁴

¹ Severino for Congress, Amended Statement of Organization, FEC (Feb. 17, 2022), *available at* <https://docquery.fec.gov/pdf/108/202202179491767108/202202179491767108.pdf>.

² Severino for Congress, Statement of Candidacy, FEC (July 7, 2020), *available at* <https://docquery.fec.gov/pdf/362/202007079244354362/202007079244354362.pdf>.

³ Severino for Congress, Statement of Organization, FEC (July 7, 2020), *available at* <https://docquery.fec.gov/pdf/413/202007079244354413/202007079244354413.pdf>.

Joe Severino confirmed his status as a Candidate for the 2022 election when he filed a Statement of Candidacy on November 29, 2021, and Severino for Congress filed an amended Statement of Organization the same day.⁵ Severino and Severino for Congress each filed amended statements on February 17, 2022.⁶ Each filed version Statement of Organization lists “Joseph Severino” as the Candidate and the office sought as Illinois’ Tenth District. Joseph Severino also serves as the Committee’s Treasurer.

The Committee’s Statement of Organization includes “severinoforcongress.com” as the Committee’s official website.⁷ Severinoforcongress.com is a professional website touting Severino’s run for the Tenth District.⁸ The website allows supporters to contribute to the Committee.⁹

A screenshot of part of the homepage is below:



Severino for Congress’ website has actively solicited donations on its campaign website since at least December 4, 2021.¹⁰ Severino has called himself a candidate for Congress since at least

⁴ Severino for Congress, Statement of Candidacy, FEC (July 7, 2020), *available at* <https://docquery.fec.gov/pdf/362/202007079244354362/202007079244354362.pdf>.

⁵ Severino for Congress, Amended Statement of Organization, FEC (Nov. 29, 2021), *available at* <https://docquery.fec.gov/pdf/843/202111299469525843/202111299469525843.pdf>; Severino for Congress, Amended Statement of Candidacy, FEC (Nov. 29, 2021), *available at* <https://docquery.fec.gov/pdf/873/202111299469525873/202111299469525873.pdf>.

⁶ Severino for Congress, Amended Statement of Organization, FEC (Feb. 17, 2022), *available at* <https://docquery.fec.gov/pdf/108/202202179491767108/202202179491767108.pdf>; Severino for Congress, Amended Statement of Candidacy, FEC (Feb. 17, 2022), *available at* <https://docquery.fec.gov/pdf/123/202202179491767123/202202179491767123.pdf>.

⁷ *Id.*

⁸ Joe Severino for Congress (last accessed April 20, 2022), *available at* Severinoforcongress.com.

⁹ *Id.*

September 6, 2021.¹¹

A screenshot from Severino for Congress' Facebook page referring to himself as a candidate for the 2022 election is below:



As of April 20, 2022, Joseph Severino and Severino for Congress have failed to file any quarterly or year-end reports with the Commission.¹²

Legal Analysis

The FEC requires individuals to register as a candidate, designate and register a principal campaign committee, and begin to file reports once a candidate has received contributions or made expenditures of more than \$5,000.¹³ The exemption from registering with the Commission, known as “testing the waters,” no longer applies once an individual makes statements referring to themselves as a candidate.¹⁴

Joseph Severino filed a Statement of Candidacy for both the 2020 election and then the 2022 election. Severino has been actively campaigning for the 2022 election since at least September 6, 2021. He cannot claim he is testing the waters.

¹⁰ Severinoforcongress, Internet Archive (Dec. 4, 2021), *available at* <http://web.archive.org/web/20211204220223/https://severinoforcongress.com/>.

¹¹ Severino for Congress, Facebook (Sept. 6, 2021), *available at* https://www.facebook.com/permalink.php?story_fbid=404637237996478&id=100375658422639.

¹² See FEC Severino for Congress, FEC (last accessed April 20, 2022).

¹³ See 52 U.S.C. 30101(2), 30103(a), 30102(e)(1), 30102(g).

¹⁴ 11 C.F.R. 100.72(b); AO 1981-32 (Askew) (When an individual has “moved beyond the deliberative process of deciding to become a candidate, and into the process of planning and scheduling public activities designed to heighten his political appeal to the electorate,” then “candidacy would arise.”).

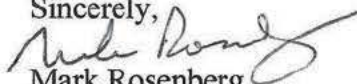
Severino for Congress first filed a statement acknowledging itself as the principal campaign committee of Joseph Severino for Congress in 2020. Principal campaign committees must file periodic reports on financial activity until the committee has filed a termination report with the Commission and such termination report has been accepted.¹⁵ The periodic reports are quarterly financial reports that are filed with the Commission.¹⁶ The FEC Campaign Guide for Congressional Candidates also notes that once an individual files FEC Form 1, they must “subsequently file financial reports.”¹⁷

Severino for Congress has failed to file a single quarterly report in violation of 52 U.S.C. 30104(a)(2) and 11 C.F.R. § 104.5(a). Severino for Congress has been in continuous violation of the Act and Commission regulations since it first registered with the FEC in July of 2020. Quarterly reports are integral to protecting the Commission’s mission of providing transparency and fairly enforcing federal campaign finance laws.¹⁸ By failing to file quarterly reports with the Commission, Joseph Severino and Severino for Congress are flagrantly flouting federal law and the Commission’s explicit mission.

Conclusion

By failing to file quarterly FEC reports, Joseph Severino and Severino for Congress violated the Federal Election Campaign Act of 1971, as amended, and Federal Election Commission regulations. We request that the Commission immediately investigates these violations.

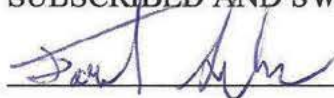
Sincerely,



Mark Rosenberg

Northbrook, IL 60062

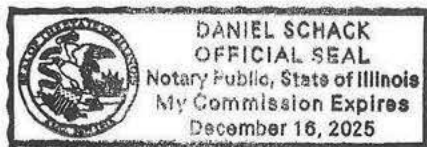
SUBSCRIBED AND SWORN to before me this 22nd day of April, 2022.



Notary Public

My Commission Expires:

12/16/25



¹⁵ 52 U.S.C. 30104(a), 30103(d).

¹⁶ 52 U.S.C. 30104(a)(2).

¹⁷ Campaign Guide for Congressional Candidates, FEC (October 2021), available at <https://www.fec.gov/resources/cms-content/documents/candgui.pdf>

¹⁸ Mission and History, FEC (last accessed April 20, 2022), available at <https://www.fec.gov/about/mission-and-history/>.