



FEDERAL ELECTION COMMISSION
Washington, DC

April 25, 2024

VIA ELECTRONIC AND CERTIFIED MAIL RETURN RECEIPT REQUESTED

Mark Rosenberg

Northbrook, IL 60062

RE: MUR 7988
Severino for Congress, *et al.*

Dear Mr. Rosenberg:

This is in reference to the complaint filed with the Federal Election Commission on April 22, 2022, concerning Severino for Congress and Joseph Severino in his individual capacity and official capacity as treasurer. Based on that complaint, after considering the circumstances of this matter and information in the response, the Commission, on March 26, 2024, determined to dismiss this matter and close the file effective April 25, 2024.

The General Counsel's Report, which more fully explains the basis for the Commission's decision, is enclosed. 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).

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).

Sincerely,

Lisa Stevenson
Acting General Counsel

Wanda D. Brown

BY: Wanda D. Brown
Assistant General Counsel

Enclosure
General Counsel's Report

BEFORE THE FEDERAL ELECTION COMMISSION
ENFORCEMENT PRIORITY SYSTEM
DISMISSAL REPORT

MUR: 7988

Respondents: Severino for Congress and Joseph
 Severino in his official capacity as
 treasurer
 Joseph Severino

Complaint Receipt Date: April 22, 2022

Response Date: May 20, 2022

EPS Rating:

**Alleged Statutory and
 Regulatory Violations:**

52 U.S.C. §§ 30101(2); 30104(a), (b)
 11 C.F.R. §§ 100.3(a); 104.1; 104.3; 104.5(a)

The Complaint alleges that, as of the date of the Complaint, April 22, 2022, Severino for Congress and Joseph Severino in his official capacity as treasurer (the “Committee”), the principal campaign committee of congressional candidate Joseph Severino, has filed no disclosure reports for the 2020 and 2022 election cycles, even though Severino and the Committee filed Statements of Candidacy and Organization for both elections, in violation of the Federal Election Campaign Act of 1971, as amended (the “Act”).¹ With respect to the 2022 election cycle, the Complaint alleges that the Committee’s website has solicited donations since at least December 4, 2021, suggesting that it may have exceeded the \$5,000 reporting threshold.²

In response, Severino and the Committee state that, with respect to the 2020 election, Severino attempted for a three-week period to get on the ballot with no success.³ They state that

¹ Compl. at 1-2 (Apr. 22, 2022); Joseph Severino, Statement of Candidacy (July 7, 2020), <https://docquery.fec.gov/pdf/362/202007079244354362/202007079244354362.pdf>; Severino for Congress, Statement of Organization (July 7, 2020), <https://docquery.fec.gov/pdf/413/202007079244354413/202007079244354413.pdf>; Joseph Severino, Amended Statement of Candidacy (Nov. 29, 2021), <https://docquery.fec.gov/pdf/873/202111299469525873/202111299469525873.pdf>; Severino for Congress, Amended Statement of Organization (Nov. 29, 2021), <https://docquery.fec.gov/pdf/843/202111299469525843/202111299469525843.pdf>.

² Compl. at 2-3.

³ Resp. at 1 (May 20, 2022).

MUR 7988 (Severino for Congress, *et al.*)

EPS Dismissal Report

Page 2 of 3

1 photographs of him attached to the Complaint “are not reflective of any contributions” but rather
2 Severino was “just introducing [himself] to the community for [his] future run.”⁴ With respect to
3 the 2022 election, Severino and the Committee state that as of the 2022 first quarter filing date
4 (March 31, 2022), there was no obligation to file disclosure reports because the Committee did not
5 spend or receive \$5,000.⁵ Severino ran unopposed in the June 28, 2022 Republican primary and
6 lost the 2022 general election for Illinois’s 10th Congressional District.⁶

7 Following the filing of the Complaint, the Committee filed its first disclosure report, its
8 2022 July Quarterly Report, which showed total activity during the election cycle of \$14,600 in
9 contributions and \$9,806 in expenditures.⁷ Based on information disclosed in the report, the
10 Committee exceeded \$5,000 in receipts by May 19, 2022.⁸ The Committee also filed its 2022
11 October Quarterly Report which showed \$12,325 in contributions and \$8,427.69 in expenditures.⁹
12 Subsequently, the Committee stopped filing its reports, then filed its missing reports, but then
13 stopped filing its reports again.¹⁰

⁴ *Id.*

⁵ *Id.*

⁶ Illinois 10th Congressional District Election, 2022, BALLOTPEDIA,
https://ballotpedia.org/Illinois%27_10th_Congressional_District_election_2022 (last visited Feb. 5, 2025).

⁷ Severino for Congress, 2022 July Quarterly Report at 2 (July 18, 2022),
<https://docquery.fec.gov/pdf/638/202207189522167638/202207189522167638.pdf>.

⁸ Severino for Congress, 2022 July Quarterly Report at 5-8 (July 18, 2022),
<https://docquery.fec.gov/pdf/638/202207189522167638/202207189522167638.pdf> (showing itemized receipts which exceeded \$5,000 in the aggregate on May 19, 2022).

⁹ Severino for Congress, 2022 October Quarterly Report at 2 (Oct. 18, 2022),
<https://docquery.fec.gov/pdf/452/202210189537558452/202210189537558452.pdf>. We note that there is an ambiguity in the report’s Summary Page which shows the same amounts for “This Period” and “Election Cycle-to-Date” totals for contributions and expenditures. *Id.*

¹⁰ The Reports Analysis Division (“RAD”) sent the Committee non-filer notices for the 2022 12-Day Pre-General, 30 Day Post-General, and Year-End Reports, and the 2023 April, July, and October Quarterly Reports. *E.g.*, Non-filer notice (Oct. 28, 2022) (failure to file 2022 12-Day Pre-General Report). The Committee later filed its 2022 12-Day Pre-General, 2022 30-Day Post-General, and 2022 Termination Reports (covering the same period as the Year-End Report). *E.g.*, Severino for Congress Termination Report at 2 (May 10, 2023) (disclosing zero receipts and disbursements), <https://docquery.fec.gov/pdf/816/202305109581433816/202305109581433816.pdf>. The Committee has not filed a disclosure report since.

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

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Lisa J. Stevenson
Acting General Counsel

Charles Kitcher
Associate General Counsel

February 29, 2024

Date

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¹¹ *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).