

FEDERAL ELECTION COMMISSION Washington, DC

April 25, 2024

VIA ELECTRONIC MAIL

info@severinoforcongress.com
Joseph Severino, Treasurer
Severino for Congress
PO Box 370
Lake Forest, IL 60045

RE: MUR 7988

Severino for Congress

and Joseph Severino in his official

capacity as treasurer Joseph Severino

Dear Mr. Severino:

On April 28, 2022, the Federal Election Commission notified Severino for Congress and you in your individual capacity and official capacity as treasurer, of a Complaint alleging violations of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the Complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint, and information supplied by you, the Commission, on March 26, 2024, voted to dismiss this matter and close the file effective April 25, 2024. The General Counsel's Report, which more fully explains the Commission's decision, is enclosed for your information.

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).

Sincerely,

Lisa J. Stevenson Acting General Counsel

Wanda D. Brown

BY: Wanda D. Brown Assistant General Counsel

Enclosure
General Counsel's Report

2	BEFORE THE FEDERAL ELEC	BEFORE THE FEDERAL ELECTION COMMISSION			
1 2 3 4 5	ENFORCEMENT PRIORITY SYSTEM DISMISSAL REPORT				
6 7 8 9	6 MUR: 7988 Responden 7 8 9	ts: Severino for Congress and Joseph Severino in his official capacity as treasurer Joseph Severino			
11 12 13	Complaint Receipt Date: April 22, 2022 Response Date: May 20, 2022 EPS Rating:				
14 15					
16 17 18 19	16 Alleged Statutory and 17 Regulatory Violations: 52 U.S.C. §§ 3010 18 11 C.F.R. §§ 100.	01(2); 30104(a), (b) .3(a); 104.1; 104.3; 104.5(a)			
20	The Complaint alleges that, as of the date of the Complaint, April 22, 2022, Severino for				
21	Congress and Joseph Severino in his official capacity as treasurer (the "Committee"), the principal				
22	campaign committee of congressional candidate Joseph Severino, has filed no disclosure reports for				
23	the 2020 and 2022 election cycles, even though Severino and the Committee filed Statements of				
24	Candidacy and Organization for both elections, in violation of the Federal Election Campaign Act				
25	of 1971, as amended (the "Act"). With respect to the	2022 election cycle, the Complaint alleges			
26	26 that the Committee's website has solicited donations si	that the Committee's website has solicited donations since at least December 4, 2021, suggesting			
27	27 that it may have exceeded the \$5,000 reporting thresho	that it may have exceeded the \$5,000 reporting threshold. ²			
28	In response, Severino and the Committee state t	that, with respect to the 2020 election,			
29	29 Severino attempted for a three-week period to get on th	ne ballot with no success. ³ They state that			

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/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).

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- 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." 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
- 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. Based on information disclosed in the report, the
- 10 Committee exceeded \$5,000 in receipts by May 19, 2022. The Committee also filed its 2022
- 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*.

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.

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).

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.*

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.

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

14			Lisa J. Stevenson
15			Acting General Counsel
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17 18			
19			Charles Kitcher
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20 21			Associate General Counsel
21			
23	February 29, 2024	BY:	/ laudio aux
23 24		DI.	Claudio J. Pavia
	Date		
25			Deputy Associate General Counsel
26 27			
28			Wanda D. Brown
29			Wanda Brown
30			Assistant General Counsel
31 32			
			Dominious Dillanconon
33			Dominique Dillenseger
34			Dominique Dillenseger
35			Attorney

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