



1 assess whether particular matters warrant further administrative enforcement proceedings. These  
2 criteria include (1) the gravity of the alleged violation, taking into account both the type of activity  
3 and the amount in violation; (2) the apparent impact the alleged violation may have had on the  
4 electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in  
5 potential violations and other developments in the law. This matter is rated as low priority for  
6 Commission action after application of these pre-established criteria. Given that low rating, the  
7 quick remedial efforts taken by the Respondents concerning the flyers, and the fact the campaign  
8 website now includes a disclaimer, we recommend that the Commission dismiss the Complaint  
9 consistent with the Commission's prosecutorial discretion to determine the proper ordering of its  
10 priorities and use of agency resources.<sup>5</sup> We also recommend that the Commission close the file as  
11 to all respondents and send the appropriate letters.

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<sup>5</sup> *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).