



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

VIA USPS CERTIFIED MAIL AND E-MAIL

Alan Vinegrad, Esq.
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OCT 21 2015

RE: MUR 6528 (Ofer Biton)

Dear Mr. Vinegrad:


On February 9, 2012, the Federal Election Commission notified your client, Ofer Biton, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971. A copy of the complaint was forwarded to Mr. Biton at that time.

On October 5, 2015, after considering all the information, the Commission took no action regarding Mr. Biton and closed the file as to him in this matter. The Factual and Legal Analysis is enclosed for your information.

On October 16, 2015, the Commission closed the entire file in this matter. This matter is now public. Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66,132 (Dec. 14, 2009).

If you have any questions, please contact me at (202) 694-1634.

Sincerely,


Emily M. Meyers
Attorney

Enclosure
Factual and Legal Analysis

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Ofer Biton

MUR 6528

I. INTRODUCTION

This matter was generated by a complaint alleging that during Michael Grimm's 2010 campaign to represent New York's 13th Congressional District in the U.S. House of Representatives, Ofer Biton, an Israeli national, worked with Grimm to solicit and receive contributions that violated various provisions of the Federal Election Campaign Act of 1971, as amended ("Act"). According to the complaint, Grimm approached Biton, who was then a top aide to Rabbi Yoshiyahu Yosef Pinto, the leader of Mosdot Shuva Israel ("Mosdot"), a religious organization with a large presence in the District, to facilitate Grimm's fundraising efforts with Mosdot's members.¹ Grimm relied on Biton and others to translate Grimm's spoken and written communications with Pinto into Hebrew, because Pinto speaks no English. The Complaint also alleges that Biton routinely traveled with Grimm and introduced Grimm to potential donors from the Mosdot congregation.² Some of Pinto's followers stated that they contributed to the Committee because Biton told them that Pinto wanted them to do so.³

Without sufficient information to support or refute the allegations in the complaint with respect to Biton, in light of the statute of limitations regarding this conduct, and in consideration of its priorities and limited resources, the Commission takes no action and closes the file.

¹ Compl. ¶¶ 4-6 (Feb. 6, 2012) (citing Alison Leigh Cowan and William K. Rashbaum, *Rabbi's Followers Cast Doubt on Congressman's Fund-Raising*, N.Y. TIMES, Jan. 28, 2012, at A1) (attached to the Complaint as Exhibit 1).

² *Id.* ¶ 8.

³ *Id.*, Ex. 1 at 3.