

February 9, 2012

By facsimile: 816-350-5785

Department of Homeland Security
National Records Center, FOIA/PA Office
P.O. Box 648010
Lee's Summit, MO 64064-8010

Re: Freedom of Information Act Request

Dear Sir/Madam:

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. §§ 552, *et seq.*, and U.S. Department of Homeland Security ("DHS") regulations, 6 C.F.R. Part 5, Citizens for Responsibility and Ethics in Washington ("CREW") requests all communications between DHS and the office of Rep. Michael Grimm (R-NY), or anyone acting on behalf of Rep. Grimm, related to individuals obtaining a green card, including but not limited to communications regarding Mr. Ofer Biton.

CREW requests all records, regardless of format, medium, or physical characteristics, and including electronic records and information, audiotapes, videotapes and photographs. Mr. Biton helped Rep. Grimm raise hundreds of thousands of dollars in contributions for his 2010 campaign for Congress, allegedly in hopes that Rep. Grimm would help Mr. Biton obtain a green card if he were elected. Alison Leigh Cowan and William K. Rashbaum, Rabbi's Followers Cast Doubts on Congressman's Fund-Raising, *New York Times*, January 27, 2012 (attached as Exhibit A).

Please search for responsive records regardless of format, medium, or physical characteristics. Where possible, please produce records electronically, in PDF or TIF format on a CD-ROM. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs. Our request includes any letters, emails, facsimiles, telephone messages, voice mail messages, and transcripts, notes, or minutes of any meetings, telephone conversations, or discussions. Our request also includes any attachments to these records.

If it is your position that any portion of the requested records is exempt from disclosure, CREW requests that you provide it with an index of those documents as required under *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973), *cert. denied*, 415 U.S. 977 (1972). As you are aware, a *Vaughn* index must describe each document claimed as exempt with sufficient specificity "to permit a reasoned judgment as to whether the material is actually exempt under FOIA." *Founding Church of Scientology v. Bell*, 603 F.2d 945, 949 (D.C. Cir. 1979). Moreover, the *Vaughn* index must "describe each document or portion thereof withheld, and for **each** withholding it must discuss the consequences of supplying the sought-after information." *King v.*

U.S. Dep't of Justice, 830 F.2d 210, 223-24 (D.C. Cir. 1987) (emphasis added). Further, “the withholding agency must supply ‘a relatively detailed justification, specifically identifying the reasons why a particular exemption is relevant and correlating those claims with the particular part of a withheld document to which they apply.’” *Id.* at 224 (citing *Mead Data Central v. U.S. Dep't of the Air Force*, 566 F.2d 242, 251 (D.C. Cir. 1977)).

In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. *See* 5 U.S.C. § 552(b). If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. *Mead Data Central*, 566 F.2d at 261. Claims of nonsegregability must be made with the same degree of detail as required for claims of exemptions in a *Vaughn* index. If a request is denied in whole, please state specifically that it is not reasonable to segregate portions of the record for release.

Fee Waiver Request

In accordance with 5 U.S.C. § 552(a)(4)(A)(iii) and 6 C.F.R. § 5.11, CREW requests a waiver of fees associated with processing this request for records. The subject of this request concerns the operations of the federal government and expenditures, and the disclosures will likely contribute to a better understanding of relevant government procedures by CREW and the general public in a significant way. Moreover, the request is primarily and fundamentally for non-commercial purposes. 5 U.S.C. § 552(a)(4)(A)(iii). *See, e.g., McClellan Ecological v. Carlucci*, 835 F.2d 1282, 1285 (9th Cir. 1987).

These records are likely to contribute to greater public awareness of Rep. Grimm’s efforts to help Mr. Biton obtain a green card, and the extent to which DHS may have been influenced by a member of Congress trying to obtain a green card for a major fundraiser. Mr. Biton is a top aide to Rabbi Yoshiyahu Yosef Pinto, who leads a large congregation in New York. Cowan and Rashbaum, *New York Times*, Jan. 27, 2012. During Rep. Grimm campaign, he and Mr. Biton traveled around the New York region together and raised more than \$500,000 from Rabbi Pinto’s followers. *Id.* Several of the donors described actions by Rep. Grimm that may have violated campaign finance laws, and said he told donors there were ways to get around those laws. *Id.* According to Rabbi Pinto’s followers, Mr. Biton gathered the campaign contributions for Rep. Grimm “in hopes that if Mr. Grimm won, he would help obtain Mr. Biton obtain a green card.” *Id.*

The requested documents would shed light on Rep. Grimm’s actions to help Mr. Biton obtain a green card, possibly in exchange for Mr. Biton raising significant contributions to Rep. Grimm’s campaign for Congress, some of which may have been illegal. The requested

documents further will inform the public of DHS' conduct in response to efforts by a member of Congress to obtain a green card for an individual.

CREW is a non-profit corporation, organized under section 501(c)(3) of the Internal Revenue Code. CREW is committed to protecting the public's right to be aware of the activities of government officials and to ensuring the integrity of those officials. CREW uses a combination of research, litigation, and advocacy to advance its mission. The release of information garnered through this request is not in CREW's financial interest. CREW will analyze the information responsive to this request, and will share its analysis with the public, either through memoranda, reports, or press releases. In addition, CREW will disseminate any documents it acquires from this request to the public through its website, www.citizensforethics.org, which also includes links to thousands of pages of documents CREW acquired through its multiple FOIA requests as well as documents related to CREW's litigation and agency complaints, and through www.scribd.com.

Under these circumstances, CREW satisfies fully the criteria for a fee waiver.

News Media Fee Waiver Request

CREW also asks that it not be charged search or review fees for this request because CREW qualifies as a "representative of the news media" pursuant to the FOIA. In *Nat'l Sec. Archive v. U.S. Dep't of Defense*, 880 F.2d 1381, 1386 (D.C. Cir. 1989), the Court of Appeals for the District of Columbia Circuit found the National Security Archive was a representative of the news media under the FOIA, relying on the FOIA's legislative history, which indicates the phrase "representative of the news media" is to be interpreted broadly; "it is critical that the phrase 'representative of the news media' be broadly interpreted if the act is to work as expected. . . . In fact, any person or organization which regularly publishes or disseminates information to the public . . . should qualify for waivers as a 'representative of the news media.'" 132 Cong. Rec. S14298 (daily ed. Sept. 30, 1986) (emphasis added), cited in *id.*

CREW routinely and systematically disseminates information to the public in several ways. First, CREW maintains a frequently visited website, www.citizensforethics.org, that received 167,014 page views in January 2012. In addition, CREW posts all of the documents it receives under the FOIA on www.scribd.com, and that site has received 1,695,201 visits to CREW's documents since April 14, 2010.

Second, since May 2007 CREW has published an online newsletter, *CREWCuts*, that currently has 16,638 subscribers. *CREWCuts* provides subscribers with regular updates regarding CREW's activities and information the organization has received from government entities. A complete archive of past *CREWCuts* is available at <http://www.citizensforethics.org/newsletter>.

Third, CREW publishes a blog, *Citizens blogging for responsibility and ethics in Washington*, that reports on and analyzes newsworthy developments regarding government ethics and corruption. The blog, located at <http://www.citizensforethics.org/blog>, also provides links that direct readers to other news articles and commentary on these issues. CREW's blog had 12,304 page views in January 2012.

Finally, CREW has published numerous reports to educate the public about government ethics and corruption. See *Record Chaos*, which examines agency compliance with electronic record keeping responsibilities; *The Revolving Door*, a comprehensive look into the post-government activities of 24 former members of President Bush's cabinet; and *Those Who Dared: 30 Officials Who Stood Up For Our Country*. These and all other CREW's reports are available at <http://www.citizensforethics.org/reports>.

Based on these extensive publication activities, CREW qualifies for a fee waiver as a "representative of the news media" under the FOIA and agency regulations.

Request for Expedition

Pursuant to 5 U.S.C. § 552(a)(6)(E)(I) and DHS regulations, 6 C.F.R. § 5.5(d), CREW requests DHS expedite the processing of this request in light of the urgent need to inform the public about the alleged actions of a sitting member of Congress and the extent to which DHS may have been influenced by a member of Congress in the exercise of its statutory authority.

If Rep. Grimm attempted to assist Mr. Biton in obtaining a green card, he may have violated federal law, House of Representatives ethics rules, and the Code of Ethics for Governmental Service. In addition, Rep. Grimm's alleged fundraising activities may have violated several campaign finance laws. The public has an urgent need to know if a sitting member of Congress has acted unethically and, perhaps, illegally.

Furthermore, DHS may have been influenced by Rep. Grimm in any effort to obtain a green card for Mr. Biton. The public has an urgent need to understand how DHS responded to a member of Congress attempting to assist an individual procure a green card – a highly coveted and difficult to obtain government document. Where disclosure of information "would 'contribute significantly to public understanding of the operations or activities of the government,' the public interest in releasing this information is very strong." *CREW v. U.S. Dep't of Justice*, 2012 U.S. Dist. LEXIS 2550, at *25-26 (Jan. 12, 2012) (quoting *Consumers' Checkbook Ctr. for the Study of Servs. v. U.S. Dep't of Health & Human Servs.*, 554 F.3d 1046, 1051 (D.C. Cir. 2009)).

The urgent public interest is demonstrated by the significant media interest in Rep. Grimm's conduct. His activities came to light very recently, and have generated substantial media coverage both locally and nationwide. See, e.g., Cowan and Rashbaum, *New York Times*,

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Jan. 27, 2012; Tom Wroblewski, New Allegations Question Grimm's Campaign Financing, *Staten Island Advance*, January 29, 2012 (attached as Exhibit B); SI Congressman Fundraising Scrutinized: Report, *NBC New York*, January 29, 2012 (attached as Exhibit C); Andrew Grossman, Grimm Denies Report of Illegal Fund Raising, *Wall Street Journal*, January 30, 2012 (attached as Exhibit D).

As explained above, CREW is a non-profit corporation engaged primarily in disseminating information it gathers from a variety of sources, including the FOIA, and seeks the information requested in this FOIA request for express purpose of disseminating it to the public. CREW's website, www.citizensforethics.org, contains links to thousands of pages of documents CREW has acquired from multiple FOIA requests, as well as documents related to CREW's FOIA litigation and other complaints. Similarly, CREW posts all of its documents acquired through the FOIA on www.scribd.com.

For the foregoing reasons, CREW requests that you grant its request for expedition.

Pursuant to 6 C.F.R. § 5.5(d)(3), I hereby certify that the basis for CREW's request for expedition, as outlined above, is true and correct to the best of my knowledge and belief.

Conclusion

CREW welcomes the opportunity to discuss with you whether and to what extent this request can be narrowed or modified to better enable DHS to process it within the FOIA's deadlines. Further, if you have any questions about this request, foresee any problems in releasing fully the requested records, or if our request for a fee waiver is not granted in full, please contact me immediately. I can be reached at (202) 408-5565 or arappaport@citizensforethics.org.

Please send the requested records to my attention at Citizens for Responsibility and Ethics in Washington, 1400 Eye Street, N.W., Suite 450, Washington, D.C. 20005. Thank you for your assistance.

Sincerely,



Adam J. Rappaport
Senior Counsel

Enclosures

EXHIBIT A

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January 27, 2012

Rabbi's Followers Cast Doubts on Congressman's Fund-Raising

By ALISON LEIGH COWAN and WILLIAM K. RASHBAUM

Soon after he began running for Congress in 2009, Michael G. Grimm, a Staten Island Republican, needed to convince party leaders in Washington that he could raise enough money to become a viable candidate. Seeking help, he turned to an unlikely source: followers of an Orthodox rabbi and mystic from Israel.

Mr. Grimm, a former agent for the Federal Bureau of Investigation and a Roman Catholic who regularly attends Sunday Mass, traveled around the New York region with one of the rabbi's top aides, Ofer Biton, to raise campaign money from the rabbi's followers. In all, the Grimm campaign collected more than \$500,000 from the followers, according to numerous interviews and an analysis of Mr. Grimm's campaign records.

That money — more than half of the total that Mr. Grimm raised from individuals — proved instrumental in his upset of the Democratic incumbent in November 2010. Since then, Mr. Grimm has established a profile as a rising Republican star.

But now, Mr. Biton, an Israeli citizen, is being investigated by the F.B.I. and federal prosecutors in Brooklyn over accusations that he embezzled millions of dollars from the rabbi's congregation. And an examination by The New York Times has highlighted Mr. Biton's unusual role in the Grimm campaign — as well as questionable donations that the rabbi's followers said Mr. Grimm had accepted.

The examination of Mr. Grimm's fund-raising was based on more than 15 interviews with followers and associates of the rabbi, Yoshiyahu Yosef Pinto, who divides his time between Israel and Manhattan, where he has a large congregation.

Mr. Grimm would not respond to questions about Mr. Biton and his campaign finances beyond issuing a general statement.

“Any suggestion that I was involved in any activities that may run afoul of the campaign finance laws is categorically false and belied by my life of public service protecting and

enforcing the laws of this country,” Mr. Grimm said in the statement on Friday.

In interviews, followers of the rabbi spoke repeatedly about the close ties between Mr. Grimm and Mr. Biton.

“Grimm and Biton were together all the time during the campaign,” said one of the followers, Yossi Zaga, a real estate investor who donated \$4,800, the legal limit, to Mr. Grimm at Mr. Biton’s urging. “They would drive around together to the homes and offices and ask for contributions.”

Three of the rabbi’s followers said in separate interviews that Mr. Grimm or Mr. Biton told them that the campaign would find a way to accept donations that were over the legal limit, were given in cash or were given by foreigners without green cards.

Congressional campaigns are not allowed to accept cash donations of more than \$100. Foreigners without green cards are barred by law from giving to political campaigns. They are also not allowed to solicit contributions for campaigns.

One follower of the rabbi said in an interview that Mr. Grimm pressed him for \$20,000. The follower said Mr. Grimm instructed him to meet him “near the F.B.I. building,” in Lower Manhattan, in summer 2010 to give the money. The follower said he handed over \$5,000 in cash in an envelope to Mr. Grimm in Mr. Grimm’s car.

Within a week, the follower said, he gave Mr. Grimm a \$5,000 check from a friend. Mr. Grimm then repeatedly called the follower and demanded another \$10,000, the follower said.

“Every day, he used to call me, over and over,” the follower said.

The follower said he ignored the calls and did not give again.

A second follower recalled that Mr. Grimm came to his office in Manhattan to solicit a legal contribution. As he was handing over the check, the second follower said, Mr. Grimm confided in him that there were ways of working around the campaign rules.

“Grimm wanted you to supply the money, and if someone wants to give and cannot give, you have to find a friend to give it through,” the second follower recalled. “Let’s say someone is not legal to give because he’s not American. Grimm wants this guy, Joe A, to give the money to Joe B so Joe B can make the contribution to the campaign.”

A third follower said he picked up, at Mr. Biton’s behest, \$25,000 for Mr. Grimm’s campaign from a single Israeli.

"I give the checks to Ofer, and he gives them to Michael," the third follower said.

The third follower said the money donated by the Israeli was falsely listed in Mr. Grimm's campaign disclosure records as having been given by at least five other people. The practice referred to — creating so-called straw donors — is illegal.

The rabbi's followers who described what they said was questionable fund-raising by Mr. Grimm spoke only on the condition of anonymity, saying they did not want to become ensnared in the federal embezzlement inquiry into Mr. Biton.

Spokesmen for the United States attorney's office in Brooklyn and the F.B.I. would not respond to questions about Mr. Biton.

The Times contacted Mr. Grimm's office on Monday and supplied a list of questions about his fund-raising and Mr. Biton.

On Thursday, Mr. Grimm responded with an e-mail from his personal account.

"At first, I thought it was a joke because the allegations are so absurd and ridiculous," Mr. Grimm wrote. "But let me be very clear, the information you received is completely false and I know is unsubstantiated, thus completely unfit to print."

Mr. Grimm wrote that he would readily consent to be interviewed for this article. But he did not respond to further queries, and on Friday, he issued the official statement through his lawyer, reiterating that he had never violated campaign rules.

The donors interviewed by The Times said they gave money to the Grimm campaign because Mr. Biton told them that Rabbi Pinto wanted people in his congregation to do so.

The rabbi's followers said Mr. Biton rounded up campaign money for Mr. Grimm in hopes that if Mr. Grimm won, he would help Mr. Biton obtain a green card.

It could not be determined whether Mr. Grimm did anything to help Mr. Biton with the immigration authorities.

Rabbi Pinto's spokesman said the rabbi had met with Mr. Grimm but had not been aware at the time that Mr. Biton was raising money so aggressively for Mr. Grimm.

In a statement, Mr. Biton's lawyer, Jeffrey A. Udell, denied that Mr. Biton had ever raised money for Mr. Grimm.

"You asked, Did he pick up checks for Grimm's campaign, and the answer is categorically no,"

Mr. Udell said.

Mr. Biton has denied allegations by the rabbi's followers that he embezzled millions of dollars from the rabbi's congregation, the focus of the federal inquiry.

Rabbi Pinto has built a thriving congregation since he established a branch of his movement in New York City in 2002, attracting many prominent worshipers. Some celebrities, like the basketball star LeBron James, who is not Jewish, have gone to see him.

Representative Anthony D. Weiner, a New York Democrat, met with the rabbi before he resigned from Congress. Representative Eric Cantor of Virginia, the House majority leader, also met with him. Both men are Jewish.

A small number of the rabbi's followers donated to the campaigns of Mr. Weiner and Mr. Cantor. But no politician has relied as extensively for campaign money upon the followers as Mr. Grimm, according to campaign finance records.

The vast majority of the followers who donated to Mr. Grimm's 2010 campaign had never before given to a federal candidate, according to campaign records, and did not live in Mr. Grimm's district, which includes Staten Island and part of Brooklyn.

It is not clear how Mr. Grimm met Mr. Biton, but the two men and a New York public relations executive named Ronn Torossian have often spent time together since Mr. Grimm embarked on his dark horse Congressional campaign.

"Lunch with Congressman Michael Grimm," Mr. Torossian wrote on his Twitter account in October 2011. "He always leaves me inspired with hope in government."

Mr. Torossian is also a subject of the federal inquiry into the embezzlement of money from the rabbi's congregation.

Mr. Torossian's lawyer, Gerald L. Shargel, said his client supported Mr. Grimm and gave money to his campaign but played "absolutely no role" in efforts to raise money from the rabbi's followers.

"He absolutely denies any wrongdoing," Mr. Shargel said, "and sees himself as a victim in this case."

Mr. Grimm has received very few donations from Rabbi Pinto's followers for his 2012 re-election campaign, the records show. The followers interviewed said they did not want to donate to the Grimm campaign after federal prosecutors began investigating the embezzlement accusations against Mr. Biton.

Alain Delaqu erie and Griff Palmer contributed reporting.

EXHIBIT B



New allegations question Grimm's campaign financing

Published: Sunday, January 29, 2012, 10:22 AM Updated: Sunday, January 29, 2012, 12:32 PM



By **Tom Wroblecki**



Advance File Photo

Nov. 2, 2010: Michael Grimm greeted supporters as he took the lead on election night.

STATEN ISLAND, N.Y. - Rep. Michael Grimm used his ties to an Israeli rabbi and mystic to strong-arm donors for illegal contributions to his 2010 congressional campaign, according to a published report.

Grimm (R-Staten Island/Brooklyn), who faces re-election this year, denied the accusations contained in a story in The New York Times.

"The unsubstantiated accusations made by The Times are completely false and it's disappointing that such a story was allowed to go forward without evidence," Grimm said in a prepared statement to the Advance.

The allegations come after a string of other episodes that have called Grimm's hard-driving style into question, and after news that William J. Smith has resigned as the lawmaker's district director.

The Times said that Grimm, a Marine Gulf War veteran, collected more than \$500,000 from followers of the rabbi.

The newspaper reported that followers and associates of Rabbi Yoshiyahu Yosef Pinto said that Grimm or Ofer Biton, an aide to the rabbi, had told them they'd finagle a way to accept donations that were either over the legal \$100 cash donation limit, or were given by foreigners without green cards, who are barred from donating to political campaigns.

One follower of the rabbi said campaign cash was handed over to Grimm in the congressman's car while it was parked near the FBI building in Lower Manhattan.

Grimm is a former FBI agent.

Separately, Biton, an Israeli citizen, is being investigated by the FBI and federal prosecutors for embezzling from the rabbi's congregation.

The telegenic, rising GOP star, known for his nearly non-stop media appearances and teacup terrier, Sebastian, was a mystery man who came out of nowhere to win the 13th Congressional District seat in 2010.

But questions have persisted about his temperament, background and his business and personal dealings. The fundraising allegations will add fuel to that fire.

While serving with the FBI, Grimm was accused of brandishing a gun during a nightclub fracas with the husband of a woman he was dating. He was never charged or disciplined in the incident.

He has also defended his relationship with Carlos Luquis, a convicted felon and former FBI colleague who worked for Grimm's energy company, Austin Refuel, and was intimately involved in Grimm's 2010 House campaign.

In addition, Grimm has brushed off safety violations racked up by a trucking firm in which he has an ownership stake.

News of Smith's departure could add to the sense of Grimm's being an office in turmoil.

Smith, a Democrat-turned-Republican who is well-respected in borough political circles, left his job as communications director for GOP District Attorney Daniel Donovan to join Grimm.

However, Smith said he decided to leave the office last fall and that the decision had nothing to do with the fundraising allegations, which predate his time with Grimm.

Smith said that, after the round-the-clock pace of working for Donovan and Grimm for the last several years, "I felt like it was time to move on. I'm going to take time off."

He denied a report in Crain's that his departure was due to "ideological differences" with Grimm, and is set to leave the office on Feb. 10.

Grimm's office has not commented on Smith's departure.

Grimm is in Florida this weekend, stumping for GOP presidential candidate Mitt Romney and raising funds for himself.

Mark Murphy is the only Democrat who has announced a challenge to Grimm, but the fundraising allegations likely will encourage others to consider throwing their hats into the ring.

One Democrat said the Grimm allegations could hurt Murphy's campaign.

Not only will it encourage others to join the race, he said, but any Grimm legal troubles could dredge up memories of Murphy's father, former Democratic Rep. John Murphy, who served jail time as a result of the Abscam bribery scandal.

Former Rep. Michael McMahon, who lost the seat to Grimm in 2010, has not definitively said if he is in or out. Other names that have been mentioned for the seat are City Councilmembers Debi Rose (D-North Shore) and Vincent Gentile (D-Brooklyn).

In 2010, McMahon's campaign press secretary was canned after she released a list of Grimm's Jewish donors to the media. The McMahon campaign at the time was concerned about how much money Grimm, who is Roman Catholic, was receiving from Jewish donors, who traditionally give to Democrats. Many of those donors also lived outside the congressional district.

McMahon did not return a phone call seeking comment yesterday.

"If the facts are true, Grimm's going to have to worry about going to jail," said one borough Democrat. "Never mind the campaign. He's political toast if this is true."

Others said that the allegations could encourage Republicans, perhaps even former Rep. Vito Fossella, into the race.

A source yesterday said that fundraising from Jewish donors may have also played a role in Grimm's controversial call for the release of Jonathan Pollard, a former U.S. Navy intelligence analyst who was convicted of spying for Israel.

Grimm made the call after personally visiting Pollard in federal prison in North Carolina.

"You need to make that trip if you want access to that money," the source said.

Grimm is co-chair of the House Republican Israel Caucus, another pipeline to Jewish donors. In 2011, he was part of a fact-finding mission to Israel which included a sitdown with Prime Minister Benjamin Netanyahu.

The follower of the rabbi who said he handed cash to Grimm told The Times the congressman arranged to meet him near the FBI building in Lower Manhattan, in the summer of 2010, and he handed over \$5,000 in cash in an envelope to the lawmaker in Grimm's car.

The follower said he also gave Grimm a \$5,000 check from a friend shortly afterward. Grimm demanded another \$10,000, the follower said, but no more donations were made.

Another follower told The Times he picked up \$25,000 for Grimm's campaign from a single Israeli, money that was falsely listed in Grimm's campaign disclosure records as having been given by at least five other people.

"I have dedicated my entire life to honorably serving this country from the U.S. Marine Corps to the FBI and have conducted myself both as a candidate and a member of Congress by the same high standards," Grimm said in his prepared statement. "I will bring that same focus to continuing my work on behalf of my constituents while ensuring these allegations are shown to be the falsehoods they are."

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EXHIBIT C

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NY POLITICS | JANUARY 30, 2012

Grimm Denies Report of Illegal Fund Raising

By ANDREW GROSSMAN

Rep. Michael Grimm denied on Sunday allegations of possible campaign-finance law violations raised in a published report. Meanwhile, Democrats said the assertions could boost their chances of re-taking the seat—one of just two in New York City that their party doesn't hold.

Two people quoted in a New York Times article published Saturday said they were involved in delivering donations to Mr. Grimm's 2010 campaign that appear to violate federal limits on the amount an individual can give and the amount a campaign can accept in cash. "The unsubstantiated accusations made by the Times are completely false, and it's disappointing that such a story was allowed to go forward without evidence," Mr. Grimm, a Staten Island Republican, said.

The story raised the hopes of Democrats who have viewed Mr. Grimm, who represents all of Staten Island and part of southern Brooklyn, as vulnerable in November., party officials said Sunday. Mr. Grimm defeated the Democratic incumbent, Michael McMahon, is weighing a rematch this fall. Through a spokesman, Mr. McMahon declined to comment Sunday. One Democrat, Mark Murphy, has already declared.

One of Mr. Grimm's political mentors, Guy Molinari, a former congressman and Staten Island borough president, defended the congressman, calling the allegations of improprieties "crap."

"I'm confident that there is absolutely nothing wrong with what he did," Mr. Molinari said Sunday. "I'll put my record on the line in defense of him."

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EXHIBIT D

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SI Congressman Fundraising Scrutinized: Report

Rep. Michael Grimm's ties to the aide of an influential rabbi is being scrutinized for possible illegal campaign donations.

Sunday, Jan 29, 2012 | Updated 11:28 AM EST



AP

Rep. Michael Grimm, R-N.Y.

A congressman representing Staten Island and parts of Brooklyn collected half a million dollars from supporters of an Orthodox rabbi and mystic from Israel whose aide is now being investigated by the F.B.I., reports the New York Times.

Rabbi Yoshiyahu Yosef Pinto supported Rep. Michael Grimm, a former agent with the F.B.I and devout Catholic, when he ran for Congress in 2010.

with green cards to donate to a campaign.

Another follower said Grimm pressed him for a \$20,000 donation, and instructed him to meet him in Manhattan to exchange \$5,000 in cash. Grimm, the rabbi said, kept calling him to donate more money, even after he solicited another \$5,000 from a friend.

Many of the followers told the paper that Biton helped round up campaign money for Grimm in the hopes that, if he won, Grimm would help Biton obtain a green card.

Other congressional candidates, including the former Congressman Anthony Weiner and Rep. Eric Cantor of Virginia, have solicited donations from Pinto's congregation -- but Grimm received the most donations, by far.

In a statement sent to the paper Friday, Rep. Grimm said "any suggestion that I was involved in any activities that may run afoul of the campaign finance laws is categorically false and belied by my life of public service protecting and enforcing the laws of this country."

A spokesman for Rabbi Pinto said the rabbi met with Grimm but was not aware of how aggressively his aide Biton was in collecting campaign contributions.

Find this article at:

<http://www.nbcnewyork.com/news/local/mike-grimm-congress-rabbi-pinto-israel-brooklyn-staten-island-embezzlement-138257719.html>

Check the box to include the list of links referenced in the article.

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