

MoFo National Security Group Moves to Corner the Market on CFIUS

Joseph Benkert is the latest in a string of former U.S. officials to find a home among the national security and CFIUS specialists at Morrison & Foerster.

BY RYAN LOVELACE

Morrison & Foerster is continuing to serve as a landing pad for officials with experience on issues involving the Committee on Foreign Investment in the United States (CFIUS) in the Trump administration.

Since the beginning of 2017, the firm has added several former top government officials who navigated CFIUS matters from their perches at Main Justice, the intelligence community, the Treasury Department, and now the Department of Defense. The latest is Joseph Benkert, former U.S. assistant secretary of defense for global security affairs, who joined the firm last week from The Cohen Group, a consultant firm run by former Secretary of Defense William Cohen.

Benkert led the Defense Department's involvement in matters before CFIUS during his tenure from 2003 to 2009, and he continued to focus on related issues at The Cohen Group, where he also worked closely with Morrison & Foerster's team.

He formally left The Cohen Group, which has a "strong strategic partnership" with DLA Piper, last week, but Morrison & Foerster said it anticipates continuing to engage with The Cohen Group on various matters.

Nick Spiliotes, co-head of Morrison & Foerster's national security group, said he has worked with Benkert for several years and wanted to bring him on board for a long time. Benkert said he had not been resume shopping when he decided to move to Morrison & Foerster, but was impressed by the national security team's growth and the firm's overall platform.

"The timing is just really right to do this kind of work now," Benkert said. "National security considerations, CFIUS included, are and will be important to our clients and the U.S. government."

Last year, the group added partner John Carlin, a former assistant attorney general in charge of the National Security Division who represented the Justice Department

on CFIUS, and of counsel Robert Litt, a former general counsel for the director of national intelligence who advises clients on CFIUS matters. Earlier this year, the firm recruited partner John Smith from the Treasury Department, where he directed the Office of Foreign Assets Control.

Together the group promises insider knowledge of CFIUS's workings and legal issues related to national security to rival any other firm—many of which have also been loudly touting their CFIUS expertise. Carlin said Morrison & Foerster's clients are citing national security as a "top-level" concern "in a way that's never been true before" on deals, compliance issues, export controls, and other matters.

Benkert is not a lawyer and, before working at Cohen's consultancy and the Defense Department, was a career Navy officer who served as executive director of the chief of naval operations executive panel and in the office of the undersecretary for defense policy.

Morrison & Foerster, meanwhile, isn't just recruiting officials with national security expertise. Other recent additions from the federal government include David Newman, a former associate White House counsel who joined last year, and Lisa Phelan, who came to the firm over the summer from the Justice Department after more than a quarter-century in the Antitrust Division.

Ryan Lovelace is based in Washington, D.C., and covers the intersection of law firm business, lobbying and the federal government. Contact him at rlovelace@alm.com. On Twitter: @lovelaceryand



Joseph Benkert of Morrison & Foerster.