

Ex-DOD Official Joins Morrison & Foerster As CFIUS Adviser

By Joyce Hanson

Law360 (October 30, 2018, 3:57 PM EDT) -- A civilian official formerly with the U.S. Department of Defense has joined Morrison & Foerster LLP to serve as a senior adviser in its national security group and provide clients advice on transaction reviews by the Committee on Foreign Investment in the United States, the law firm said.

Morrison & Foerster said Joseph A. Benkert is working in its Washington, D.C., office as it grapples with "unprecedented" regulatory and compliance scrutiny related to national security issues. Benkert will advise a wide range of the firm's clients on CFIUS reviews as well as export control restrictions and regulatory and compliance issues, according to the law firm.



Joseph Benkert

"I decided to join MoFo because of its rapidly expanding national security group, highly impressive roster of global clients, and a strong Washington team including a significant number of former U.S. government officials," Benkert said in a statement on Oct. 24. "I look forward to working with colleagues at MoFo in advising our clients on their critical national security matters as they pertain to CFIUS, export controls and other key issues at this important time."

Benkert previously served as a DOD civilian official from 2003 to 2009 under the administrations of Presidents George W. Bush and Barack Obama. He was nominated by Bush as assistant secretary of defense for global security affairs and confirmed by the Senate, Morrison & Foerster said.

While at the DOD, Benkert oversaw more than 400 CFIUS cases and helped determine whether foreign investments in U.S. companies and their operations represented a national security risk, according to the law firm. During his stint there, he managed technology security policy, export control reforms and nonproliferation projects, the firm said.

Benkert continues to serve as an adviser on the DOD's Threat Reduction Advisory Committee, according to Morrison & Foerster.

His arrival at Morrison & Foerster bolsters its growing national security group, which includes recent additions John Carlin, the CFIUS lead at the U.S. Department of Justice; John E. Smith, former director of the U.S. Treasury Department's Office of Foreign Assets Control; Robert S. Litt, former general counsel for the director of national intelligence; and David A. Newman, who had served as an associate White House counsel and on the staff of the National Security Council, the law firm said.

"Joe is one of the world's leading consultants and a top former defense official, and his addition further enhances our unparalleled ability to help our clients effectively navigate these issues," Carlin said in a statement.

Benkert was most recently a vice president with global consultancy The Cohen Group, led by former Secretary of Defense William Cohen, according to the law firm. He also regularly worked with Morrison & Foerster over the last five years to advise clients on CFIUS-related transactional matters, the firm said.

"After working with Joe and seeing the value that he delivered to our clients in navigating highly complex cross-border deals in front of CFIUS, we are delighted to officially welcome him to our team," Nick Spiliotes, co-head of the firm's national security group, said in a statement.

Benkert received his undergraduate degree from the U.S. Naval Academy and his master's degree in public policy from Harvard Kennedy School.

--Editing by Breda Lund.