

ALERT

Senator Menendez Faces Additional Federal Charges of Acting as a Foreign Agent for the Egyptian Government in Superseding Indictment

October 13, 2023

Senator Bob Menendez (D-NJ), Chair of the Senate Foreign Relations Committee, faces a superseding indictment filed in federal district court in New York alleging his involvement in acting as a foreign agent of Egypt and accepting bribes over the last four years.

On September 22, Sen. Menendez was indicted by federal prosecutors on corruption charges for allegedly taking bribes to help business partners in New Jersey associated with the Egyptian Government. The indictment alleges, among other things, that Menendez and his wife, Nadine Menendez, accepted hundreds of thousands of dollars' worth of cash, gold bars, salary for a "no show" job for his wife, and a luxury vehicle from New Jersey businessmen in exchange for Menendez facilitating weapon sales to Egypt. The indictment also alleges that Menendez passed information about staffing in the U.S. Embassy in Cairo through his wife to one of the New Jersey businessmen, Wael Hana, who subsequently relayed this information to an Egyptian official. The Senator also agreed and sought to pressure a senior official at the U.S. Department of Agriculture in an effort to protect a business monopoly granted to Hana by Egypt, and "ghost wrote" a 2018 letter for Egyptian officials to use in lobbying efforts "to convince other U.S. Senators to release a hold on \$300 million in aid to Egypt." The indictment alleges multiple schemes of bribery, fraud, and conspiracy against the Senator and four named individuals. The Senator pleaded not guilty during his arraignment in September.

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Practice Areas

Election Law & Government Ethics
Foreign Agents Registration Act (FARA)
International Trade
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On October 12, federal prosecutors filed a superseding indictment alleging new charges that Menendez conspired alongside his wife and two of the New Jersey businessmen to act as agents of a foreign principal to Egypt by providing sensitive U.S. Government information to aid in the advancement of Egyptian interests. The charges describe dinner meetings held in Manhattan between Menendez, Nadine, Hana, and unnamed Egyptian Officials during which sensitive information was passed. Federal law prohibits public officials from serving as foreign agents, even as registered under the Foreign Agents Registration Act (FARA). 18 U.S. Code § 219.

Menendez has denied the new allegations but has announced that he is stepping down as Chairman of the Senate Foreign Relations Committee. Throughout his tenure as Chairman, there's been a blockade on legislation stuck in the Committee aimed at amending FARA. Notably, this includes the PAID Off Act and the Foreign Agents Disclosure and Registration Enhancement Act. The Senator's departure as Chairman may open the bottleneck of FARA reform legislation on the Hill and provide a push to reform FARA by strengthening enforcement capabilities and bolstering transparency of foreign lobbying efforts.

Wiley's FARA Handbook provides further information on FARA as well as the relationship between FARA and the LDA. Additional information on pending LDA and FARA reforms can also be found in our coverage of proposals in the 117th Congress and 2022 Review of FARA developments. Please contact the FARA attorney listed on this alert for any questions.

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Maddie Van Aken, a Legislative and Reporting Coordinator at Wiley Rein LLP, contributed to this alert.