



The Leahy Law

Briefing to Military Attachés

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- **Why does the U.S. have the Leahy law?**
- **DOS and DoD amendments**
- **How is vetting done?**
- **What you can expect**
- **Where you can help**



Why does the United States have the Leahy law?

- **Section 502B of the Foreign Assistance Act highlights the U.S. purpose for the Leahy law**

“It is the policy of the United States, in accordance with its international obligations as set forth in the Charter of the United Nations and in keeping with the constitutional heritage and traditions of the United States, to promote and encourage increased respect for human rights and fundamental freedoms.”

“It is further the policy of the United States that, except under circumstances specified in this section, no security assistance may be provided to any country the government of which engages in a consistent pattern of gross violations of internationally recognized human rights.”



DOS Leahy law

- In 1997 Congress passed the DOS version of the Leahy law
- Included in the Foreign Assistance Act

DOS Amendment

“No assistance shall be furnished...to any unit of the security forces of a foreign country if the Secretary of State has credible information that such a unit has committed a gross violation of human rights...until effective steps are taken to bring the responsible members to justice.”



DoD Leahy Law

- In 1999 Congress passed the DoD version of the Leahy law
- Included in the Defense Appropriations Act

DoD Amendment

*“None of the funds made available by this Act may be used for any **training, equipment, or other assistance** for members of a unit of a **foreign security force** if the Secretary of Defense has **credible information** that the unit has committed a **gross violation of human rights.**”*

*“The prohibition in subsection (a)(1) shall not apply if the Secretary of Defense, after consultation with the Secretary of State, determines that the government of such country **has taken all necessary corrective steps**, or if the **equipment or other assistance is necessary to assist in disaster relief operations or other humanitarian or national security emergencies.**”*



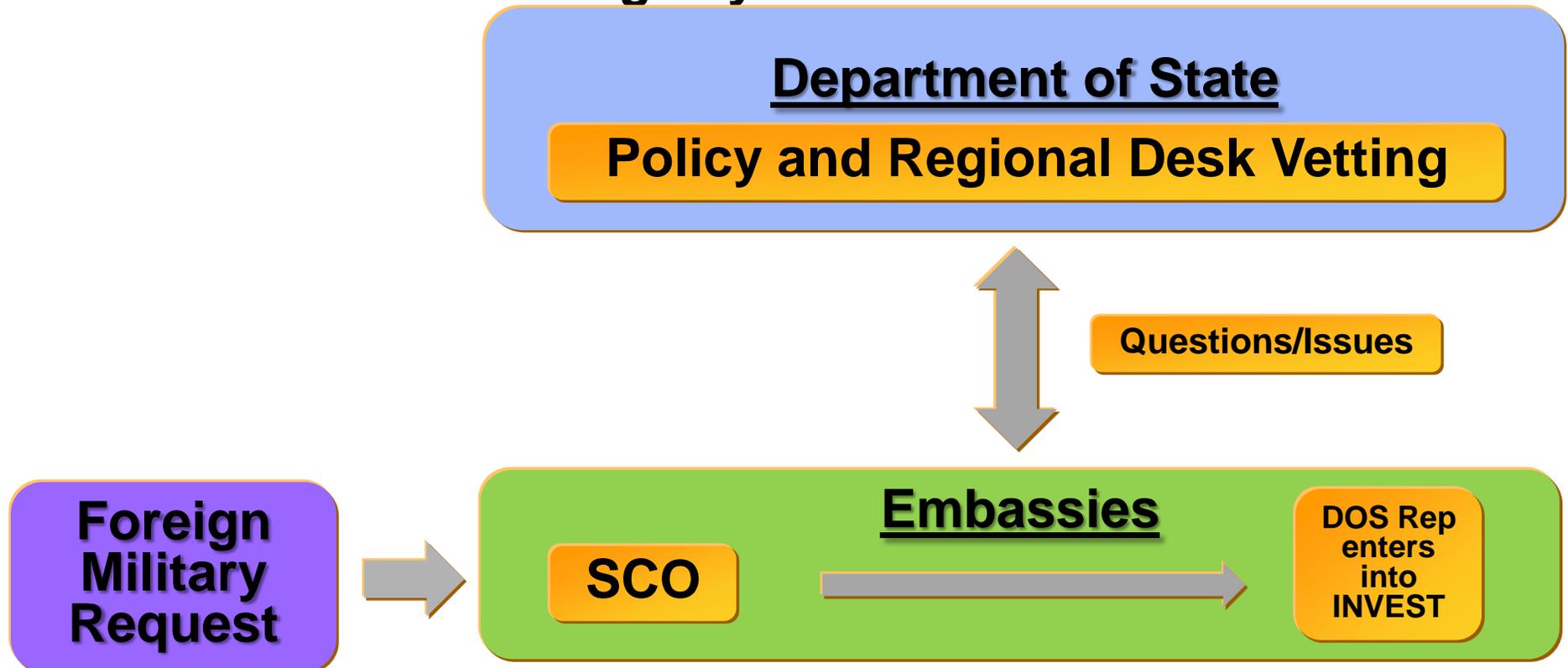
- **The Defense Appropriations Act, 2014**
 - Requires “equipment” and “other assistance” to be vetted
 - Makes available exceptions for “equipment” or “other assistance”
 - Disaster relief operations *or*
 - Other humanitarian assistance *or*
 - National security emergencies
 - Requires SECDEF to submit a report to congressional defense and appropriations committees no more than 15 days after application of exception or “extraordinary circumstance” waiver

- *Increase in number of cases to vet*
- *Explain new law to partner nations*
- *Conduct review of all DoD programs*

How is vetting done?



- Prior to change in DoD law, DOS vetted more than 160,000 individuals/units each year
- Minimum of 10 working days to vet at DOS



What can you expect



- **More requests will require vetting**
- **Necessity to submit requests earlier**
- **Updated guidance to Embassies**
 - **Changes to DoD law**
 - **Re-engagement**

Where you can help

- **Share this information with your military leaders**
- **Emphasize the importance of submitting timely requests**
- **Provide U.S. Embassy leaders feedback on the process**



Questions