

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—119th Cong., 1st Sess.

S. 1854

To required the imposition of sanctions with respect to political and economic elites in Haiti, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mrs. SHAHEEN

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Haiti Criminal Collu-
5 sion Transparency Act of 2025”.

6 **SEC. 2. REPORTING REQUIREMENTS.**

7 (a) IN GENERAL.—Not later than 180 days after the
8 date of the enactment of this Act, and annually thereafter
9 for 5 years, the Secretary of State, in coordination with
10 other Federal agencies as the Secretary determines appro-
11 priate, shall submit to the appropriate congressional com-

1 mittees a report on the connections between criminal
2 gangs and political elites and economic elites in Haiti.

3 (b) CONTENTS.—The report required by subsection
4 (a) shall include—

5 (1) a list identifying prominent criminal gangs
6 in Haiti, including—

7 (A) the leaders of each gang;

8 (B) a description of the criminal activities
9 of each gang, including coercive recruitment;
10 and

11 (C) the primary geographic area of oper-
12 ations for each gang;

13 (2) a list of political elites and economic elites
14 in Haiti who knowingly have direct and significant
15 links to criminal gangs and any organizations or en-
16 tities controlled by such political elites and economic
17 elites;

18 (3) a detailed description of the relationship be-
19 tween the political elites and economic elites listed
20 pursuant to paragraph (2) and the criminal gangs
21 identified pursuant to paragraph (1);

22 (4) a detailed description of how political elites
23 and economic elites in Haiti use relationships with
24 criminal gangs to advance political and economic in-
25 terests and agendas;

1 (5) a list of each criminal organization assessed
2 to be trafficking Haitians and other individuals to
3 the United States border;

4 (6) an assessment of connections between polit-
5 ical elites and economic elites, criminal gangs in
6 Haiti, and transnational criminal organizations;

7 (7) an assessment of how the nature and extent
8 of collusion between political elites and economic
9 elites and criminal gangs threatens the people of
10 Haiti and the national interests and activities of the
11 United States in Haiti;

12 (8) an assessment of how connections between
13 political elites and economic elites and criminal
14 gangs facilitate illicit firearms trafficking from the
15 United States that fuels violence and instability in
16 Haiti; and

17 (9) an assessment of potential actions that the
18 Government of the United States and the Govern-
19 ment of Haiti could take to address the findings
20 made pursuant to paragraph (6).

21 (c) FORM OF REPORT.—The report required by sub-
22 section (a) shall be submitted in unclassified form, but
23 may include a classified annex.

1 **SEC. 3. SANCTIONS.**

2 (a) IN GENERAL.—Not later than 90 days after the
3 date the report required by section 2 is submitted to the
4 appropriate congressional committees, the President shall
5 impose sanctions described in subsection (b) with respect
6 to each foreign person identified pursuant to paragraphs
7 (1) and (2) of section 2(b).

8 (b) SANCTIONS DESCRIBED.—The sanctions de-
9 scribed in this subsection are the following:

10 (1) PROPERTY BLOCKING.—Notwithstanding
11 the requirements of section 202 of the International
12 Emergency Economic Powers Act (50 U.S.C. 1701),
13 the President may exercise of all powers granted to
14 the President by that Act to the extent necessary to
15 block and prohibit all transactions in all property
16 and interests in property of any foreign person de-
17 scribed in subsection (a) if such property and inter-
18 ests in property are in the United States, come with-
19 in the United States, or are or come within the pos-
20 session or control of a United States person.

21 (2) ALIENS INADMISSIBLE FOR VISAS, ADMIS-
22 SION, OR PAROLE.—

23 (A) IN GENERAL.—An alien who the Sec-
24 retary of State or the Secretary of Homeland
25 Security (or a designee of one of such Secre-

1 tarries) knows, or has reason to believe, is de-
2 scribed in subsection (a) is—

3 (i) inadmissible to the United States;

4 (ii) ineligible for a visa or other docu-
5 mentation to enter the United States; and

6 (iii) otherwise ineligible to be admitted
7 or paroled into the United States or to re-
8 ceive any other benefit under the Immigra-
9 tion and Nationality Act (8 U.S.C. 1101 et
10 seq.).

11 (B) CURRENT VISAS REVOKED.—

12 (i) IN GENERAL.—The issuing con-
13 sular officer, the Secretary of State, or the
14 Secretary of Homeland Security (or a des-
15 ignee of one of such Secretaries) shall, in
16 accordance with section 221(i) of the Im-
17 migration and Nationality Act (8 U.S.C.
18 1201(i)), revoke any visa or other entry
19 documentation issued to an alien described
20 in subsection (a) regardless of when the
21 visa or other entry documentation was
22 issued.

23 (ii) EFFECT OF REVOCATION.—A rev-
24 ocation under clause (i)—

1 (I) shall take effect immediately;
2 and
3 (II) shall automatically cancel
4 any other valid visa or entry docu-
5 mentation that is in the possession of
6 the alien.

7 (c) EXCEPTIONS.—

8 (1) EXCEPTION TO COMPLY WITH INTER-
9 NATIONAL OBLIGATIONS.—Sanctions under sub-
10 section (b)(2) shall not apply with respect to the ad-
11 mission of an alien if admitting or paroling the alien
12 into the United States is necessary to permit the
13 United States to comply with the Agreement regard-
14 ing the Headquarters of the United Nations, signed
15 at Lake Success June 26, 1947, and entered into
16 force November 21, 1947, between the United Na-
17 tions and the United States, or other applicable
18 international obligations of the United States.

19 (2) EXCEPTION RELATING TO THE PROVISION
20 OF HUMANITARIAN ASSISTANCE.—Sanctions under
21 this section may not be imposed with respect to
22 transactions or the facilitation of transactions for—

23 (A) the sale of agricultural commodities,
24 food, medicine, or medical devices to Haiti;

1 (B) the provision of humanitarian assist-
2 ance to the people of Haiti;

3 (C) financial transactions relating to hu-
4 manitarian assistance or for humanitarian pur-
5 poses in Haiti; or

6 (D) transporting goods or services that are
7 necessary to carry out operations relating to
8 humanitarian assistance or humanitarian pur-
9 poses in Haiti.

10 (d) IMPLEMENTATION; PENALTIES.—

11 (1) IMPLEMENTATION.—The President may ex-
12 ercise all authorities provided to the President under
13 sections 203 and 205 of the International Emer-
14 gency Economic Powers Act (50 U.S.C. 1702 and
15 1704) to carry out this section.

16 (2) PENALTIES.—The penalties provided for in
17 subsections (b) and (c) of section 206 of the Inter-
18 national Emergency Economic Powers Act (50
19 U.S.C. 1705) shall apply to any person that violates,
20 attempts to violate, conspires to violate, or causes a
21 violation of any prohibition of this section, or an
22 order or regulation prescribed under this section, to
23 the same extent that such penalties apply to a per-
24 son that commits an unlawful act described in sec-
25 tion 206(a) of such Act (50 U.S.C. 1705(a)).

1 (e) WAIVER.—The President may waive the applica-
2 tion of sanctions imposed with respect to a foreign person
3 under this section if the President certifies to the appro-
4 priate congressional committees, not later than 15 days
5 before such waiver takes effect, that the waiver is vital
6 to the national security interests of the United States.

7 **SEC. 4. DEFINITIONS.**

8 In this Act:

9 (1) ADMITTED; ALIEN; LAWFULLY ADMITTED
10 FOR PERMANENT RESIDENCE.—The terms “admit-
11 ted”, “alien”, and “lawfully admitted for permanent
12 residence” have the meanings given those terms in
13 section 101 of the Immigration and Nationality Act
14 (8 U.S.C. 1101).

15 (2) APPROPRIATE CONGRESSIONAL COMMIT-
16 TEES.—The term “appropriate congressional com-
17 mittees” means—

18 (A) the Committee on Foreign Relations
19 and the Committee on Banking, Housing, and
20 Urban Affairs of the Senate; and

21 (B) the Committee on Foreign Affairs and
22 the Committee on Financial Services of the
23 House of Representatives.

1 (3) FOREIGN PERSON.—The term “foreign per-
2 son” means an individual or entity that is not a
3 United States person.

4 (4) ECONOMIC ELITE.—The term “economic
5 elite” means a board member, officer, or executive of
6 a group, committee, corporation, or other entity that
7 exerts substantial influence or control over the econ-
8 omy, infrastructure, or a particular industry of
9 Haiti.

10 (5) POLITICAL ELITE.—The term “political
11 elite” means a current or former government offi-
12 cial, or the high-level staff of any such government
13 official, a political party leader, or a political com-
14 mittee leader of Haiti.

15 (6) UNITED STATES PERSON.—The term
16 “United States person” means—

17 (A) a United States citizen;

18 (B) a permanent resident alien of the
19 United States; or

20 (C) an entity organized under the laws of
21 the United States or of any jurisdiction within
22 the United States, including a foreign branch of
23 such an entity.

1 **SEC. 5. SUNSET.**

2 This Act shall cease to have any force or effect begin-
3 ning on the date that is 5 years after the date of the enact-
4 ment of this Act.