

United States Senate

WASHINGTON, DC 20510

July 24, 2025

The Honorable Marco Rubio
Secretary of State
U.S. Department of State
2201 C Street, NW
Washington, DC 20520

The Honorable Kristi Noem
Secretary of Homeland Security
U.S. Department of Homeland Security
2707 Martin Luther King Jr Ave, SE
Washington, DC 20528

Dear Secretaries Rubio and Noem:

According to recent reports, a U.S. private military contractor (PMC) is conducting armed operations in Haiti under a formal contract with the country's transitional government. These reports raise urgent questions about compliance with U.S. arms export laws, the risk of U.S. complicity in gross violations of human rights, and fundamental contradictions in current U.S. foreign and immigration policy toward Haiti. In light of these concerns, and in view of the Trump administration's recent decision to both terminate Temporary Protected Status (TPS) for Haiti and include Haiti in its newly announced travel ban, we request that you immediately clarify how these decisions are being coordinated and justified across the Executive Branch.

The *New York Times* reports that Haiti's transitional government has entered into a contract with a U.S. PMC led by Blackwater Worldwide founder Erik Prince to provide armed drone capabilities, weapons, and approximately 150 U.S. mercenaries to carry out armed operations against gangs in Port-au-Prince.¹ Public sources confirm that arms have already been shipped and paramilitary forces will deploy this summer.² Such operations risk undermining the legitimacy and effectiveness of the U.N.-sanctioned and U.S.-supported Multinational Security Support (MSS) mission, which is intended to stabilize Haiti through a transparent, accountable multilateral framework.³ This development raises questions about the transparency, legality, and policy coherence of U.S. arms export oversight.

Erik Prince, founder of Blackwater Worldwide, a U.S. PMC whose contractors were responsible for the 2007 massacre of civilians in Nisour Square in Baghdad, Iraq, where they killed 17 Iraqi civilians, including children, while wounding scores more.⁴ The atrocity became a symbol of the dangers posed by unaccountable private actors operating in conflict zones.

¹ David C. Adams et al., *A Desperate Haiti Turns to Erik Prince, Trump Ally, in Fight Against Gangs*, N.Y. Times (May 28, 2025), <https://www.nytimes.com/2025/05/28/us/haiti-erik-prince-blackwater-gangs.html>.

² *Id.*

³ See Vibhu Mishra, *Security Council renews Haiti mission mandate, calls for more action against gangs*, UN News (Sept. 30, 2024), <https://news.un.org/en/story/2024/09/1155151>.

⁴ Matt Apuzzo, *Blackwater Guards Found Guilty in 2007 Iraq Killings*, N.Y. Times (Oct. 22, 2014) <https://www.nytimes.com/2014/10/23/us/blackwater-verdict.html>.

Under the Arms Export Control Act (AECA) and International Traffic in Arms Regulations (ITAR), U.S. persons are prohibited from exporting defense articles or providing military services to foreign entities without prior authorization from the Department of State.⁵ In March 2025, President Trump rescinded the Biden administration's Conventional Arms Transfer (CAT) Policy (National Security Memorandum-18, 2023),⁶ and in May, he issued an Executive Order directing the Departments of Defense and State to resume implementation of the CAT Policy developed during his first term—National Security Presidential Memorandum-10 (2018)—which directs agencies to consider whether such transfers could risk undermining international peace and contributing to human rights abuses.⁷

In this case, weaponized drone operations, arms shipments, and deployments of U.S. mercenaries unquestionably constitute activities requiring export licenses. If those licenses were granted, their approval would appear inconsistent with NSPM-10's human rights criteria. If no licenses were granted, then these activities may be proceeding in violation of U.S. law.

Additionally, under the Leahy Law, the U.S. may not provide security assistance to foreign security force units credibly implicated in gross violations of human rights.⁸ While the Leahy Law does not apply directly to U.S. PMCs, it does apply to foreign security forces or actors that coordinate with or receive support from them. The Haitian National Police (HNP), which reportedly receives U.S. assistance, has a well-documented record of human rights violations and abuses, including credible allegations of extrajudicial killings.⁹ If HNP units are operating in coordination with a U.S. PMC, then that may expose U.S. security assistance to indirect Leahy Law violations.

This issue arises amid a deepening crisis in Haiti. According to recent U.N. briefings, more than 1.3 million people have been displaced in Haiti; more than half are children.¹⁰ Nearly half the population faces crisis-level food insecurity, and 42% of health facilities in Port-au-Prince are

⁵ 22 U.S.C. §§ 2751 *et seq.*; 22 C.F.R. § 120.1.

⁶ Presidential Actions, Additional Rescissions of Harmful Executive Orders and Actions, The White House (Mar. 14, 2025), <https://www.whitehouse.gov/presidential-actions/2025/03/additional-recissions-of-harmful-executive-orders-and-actions/>; see *Trump Rescinds Biden's Arms Transfer Policy*, Arms Control Ass'n (Apr. 2025), <https://www.armscontrol.org/act/2025-04/news-briefs/trump-rescinds-bidens-arms-transfers-policy>.

⁷ Executive Order 14268, 90 Fed. Reg. 15631 (Apr. 9, 2025), <https://www.whitehouse.gov/presidential-actions/2025/04/reforming-foreign-defense-sales-to-improve-speed-and-accountability/>; National Security Presidential Memorandum on United States Conventional Arms Transfer Policy, National Security Presidential Memorandum/NSPM-10 (Apr. 19, 2018), <https://www.govinfo.gov/content/pkg/DCPD-201800254/pdf/DCPD-201800254.pdf>.

⁸ 22 U.S.C. § 2378d; 10 U.S.C. § 362.

⁹ *Haiti reaches 'yet another crisis point' as gangs tighten their grip*, United Nations (Mar. 28, 2025), <https://news.un.org/en/story/2025/03/1161696>; Danica Coto and Evans Sanon, *Haiti see a rise in killings and police executions with children targeted, UN says*, AP News (Oct. 30, 2024) <https://apnews.com/article/haiti-police-gang-violence-un-mission-63fbb5f85019668f793e80069b8f0558>.

¹⁰ *Haiti's children under siege: The staggering rise of child abuse and recruitment by armed groups*, UNICEF (Feb. 7, 2025), <https://www.unicef.org/press-releases/haitis-children-under-siege-staggering-rise-child-abuse-and-recruitment-armed-groups>; United Nations, *Daily Press Briefing by the Office of the Spokesperson for the Secretary-General* (Jun. 11, 2025) <https://press.un.org/en/2025/db250611.doc.htm>.

not functional due to violence.¹¹ U.N. officials have warned that Port-au-Prince may fall entirely to criminal armed groups without urgent intervention.¹²

Nonetheless, in February 2025, the Department of Homeland Security announced the termination of Haiti's designation for Temporary Protected Status (TPS), effective August 2025. TPS is a humanitarian immigration designation that allows nationals of a country experiencing armed conflict, environmental disaster, or other extraordinary conditions to live and work legally in the U.S. without being deported. And President Trump has now included Haiti in a sweeping travel ban targeting countries deemed security threats.¹³

These two actions are contradictory: The Administration claims Haiti is safe enough to deport Haitians back to, but, at the same time, is so dangerous to block Haitians from seeking refuge in the U.S. It cannot be both.

To help us better understand U.S. conventional arms policy towards Haiti, please respond to the following questions in writing by August 15, 2025:

1. Has any U.S. private military contractor applied for or received export licenses for defense articles or military services provided in Haiti? If so, please identify them and provide copies of the export licenses.
2. Have any such licenses been reviewed under NSPM-10, Section 3(d) regarding the risks to international peace and human rights? If so, please provide the results of any such review. If not, why not?
3. Has any interagency review assessed whether such U.S. private military contractor activity could undermine the Multinational Security Support (MSS) mission? If so, please provide the results of any such review. If not, why not? Has the Department of State assessed whether these activities are consistent with, duplicative of, or in conflict with the UN MSS mission? If so, please provide the results of any such assessment. If not, why not?
4. Have the Haitian National Police units that are reportedly receiving U.S. security assistance been vetted under the Leahy Law? If so, please provide the results of that vetting. If not, why not?
5. What accounts for the contradiction between State's support for armed stabilization operations in Haiti and DHS's determination that TPS protections should end?
6. How does the Administration reconcile the security justification for Haiti's inclusion in the travel ban with its simultaneous assessment that Haiti's TPS status should be terminated because it is safe for Haitians to return home?

At a time when U.S. foreign policy towards Haiti is increasingly inconsistent, by undermining multilateral efforts, ignoring human rights concerns, and pursuing deportations despite escalating violence, the unchecked deployment of a U.S. private military contractor with a troubling history

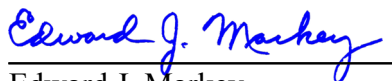
¹¹ *Haiti: Acute Food Security Situation Projection Update for March - June 2025*, IPC Integrated Food Security Phase Classification, <https://www.ipcinfo.org/ipc-country-analysis/details-map/en/c/1159571/?iso3=HTI>.

¹² *Haiti 'Running Out of Time', Delegate Warns Security Council, Noting Possible Fall of Capital to Gangs Cannot Be Allowed*, United Nations (Apr. 21, 2025) <https://press.un.org/en/2025/sc16047.doc.htm>.

¹³ Presidential Actions, Proclamation, The White House, 90 Fed. Reg. 24497 (Jun. 4, 2025) <https://www.whitehouse.gov/presidential-actions/2025/06/restricting-the-entry-of-foreign-nationals-to-protect-the-united-states-from-foreign-terrorists-and-other-national-security-and-public-safety-threats/>.

of human rights abuses represents an urgent threat to U.S. legal obligations, credibility, and responsibilities to protect vulnerable populations.

Sincerely,



Edward J. Markey
United States Senator



Raphael Warnock
United States Senator



Chris Van Hollen
United States Senator



Elizabeth Warren
United States Senator



Bernard Sanders
United States Senator



Alex Padilla
United States Senator



Adam B. Schiff
United States Senator



Peter Welch
United States Senator



Cory A. Booker
United States Senator