

Congress of the United States
Washington, DC 20515

October 11, 2023

Sincerely,

The Honorable Joseph R. Biden, Jr.
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

Dear President Biden:

We write to respectfully urge you to defer the removal of individuals from Colombia through a designation of Deferred Enforced Departure (DED) pursuant to your constitutional authority to conduct the foreign relations of the United States. DED was established to provide the president with a vital tool in U.S. foreign policy by protecting foreign nationals in the United States from civil, political, and humanitarian crises in their home country that make it unsafe for them to return, or whose suspension of deportation serves other United States foreign policy or domestic interests. Given the unique situation in Colombia, after decades of serious internal conflict and now a vital regional partner to the U.S., we believe that a designation of DED is merited and is in the foreign policy interests of the United States.

Colombia has endured more than 60 years of armed conflict between guerilla groups, the Revolutionary Armed Forces of Colombia (FARC) and the Army of National Liberation (ELN), paramilitary groups, and the government. The devastation of this violence is reflected in the numbers of civilians massacred across the country. At least 450,666 people were killed in the armed conflict, while 121,768 civilians were forcibly disappeared.¹ After much negotiation, a historic peace accord was finally signed between the government and the oldest guerrilla of the Western Hemisphere FARC in a monumental development to bring an end to decades of violence. In support of the Final Peace Agreement in 2016, the United States was the largest international donor, with over \$1 billion in foreign assistance dedicated to its implementation. USAID has invested more than \$230 million to implement the Peace Accord in conflict-affected regions, including more than 500 direct activities to support Territorial Development Plans.

Despite the efforts to curb the violence through the peace accord, Colombia office of the UN High Commissioner for Human Rights reported an 11 percent increase in massacres, a “worrying” expansion of illegal armed groups’ territorial presence, and persistence of child recruitment, sexual violence, extortion, attacks on political candidates, and other measures.² These reports reflect the abandonment of the 2016 agreement during the former Duque

¹ Colombia. Comisión de la Verdad. *Hay Futuro si Hay Verdad: Informe Final de la Comisión de la Verdad para el Esclarecimiento de la verdad, la Convivencia y la No Repetición*. Primera Edición, Bogota 2022. Pg 176

² Statement by Juliette De Rivero, United Nations High Commissioner for Human Rights, Representative in Colombia (Aug. 15, 2023), https://www.hchr.org.co/historias_destacadas/analisis-de-la-situacion-de-derechos-humanos-en-colombia-del-1-de-enero-al-30-de-junio-de-2023/

administration. In January 2023, the government's human rights ombudsman announced that 215 social leaders and human rights activists were killed in 2022, the highest toll ever recorded, as illegal armed groups intensified their attacks in key drug-trafficking areas.³

In August 2022, the election of Gustavo Petro and Francia Marquez marked a turning point for Colombia, as they now endeavor to finally implement the 2016 peace accord through their "Total Peace" platform that would seek an accord with the guerrillas and negotiate dismantling of the remaining armed groups.⁴ The Petro-Marquez Administration is committed to long-lasting peace but reestablishing the goals of the 2016 agreement—after it was ignored by the Duque Administration fueling more violence and increasing poverty—will take time to reverse the last 60 years of armed conflict once and for all. That is why shortly after taking office in December 2022, the Petro-Marquez Administration requested DED for Colombians in the United States.⁵

During this challenging period as Colombia prioritizes peace for its people—which will have global benefits, especially throughout the Western Hemisphere—it is in the United States' interests to support the Colombian government's efforts to fully implement the peace agreement for regional stability. Specifically, we believe the strategic use of DED to protect Colombians is twofold: (1) it reflects the United States' critical role in supporting Colombia's efforts towards peace and stability and ensure the country can continue playing a leadership role on migration and climate change; and (2) it supports the U.S. reliance on Colombia as a key ally in the region, especially the broader migration challenges throughout the hemisphere.

First, the Petro-Marquez Administration is focused on dismantling the new armed groups that have perpetuated violence and deepened insecurity and poverty within the nation. Second, Colombia is playing a key role in mitigating a larger migration crisis in the region—there are at least 1.7 million Venezuelan migrants who crossed the border into Colombia due to the political and economic crisis in Venezuela. This is a role which the United States has already acknowledged as U.S. Secretary of Defense Lloyd J. Austin III stated in November 2022, "I applaud your government's commitment to protecting these migrants."⁶ Colombia is not only transitioning from an armed conflict and curbing ongoing violence but also providing safety for migrants fleeing instability within an overburdened relief system. These are compelling foreign policy reasons to extend DED to Colombians residing in the United States in order to support Colombia's ongoing peace-building efforts and regional leadership in the significant migratory movement within the hemisphere without the added challenges of reintegrating individuals removed from the U.S.

³ Luis Jaime Acosta & Oliver Griffin, *Colombia Killings of Social Leaders Hit Record in 2022 -Ombudsman*, REUTERS (Jan. 23, 2023) <https://www.reuters.com/world/americas/colombia-killings-social-leaders-hit-record-2022-ombudsman-2023-01-23>.

⁴ Human Rights Watch, "Colombia."

⁵ Adam Shaw, *Colombia calls for deportation protection for nationals living illegally in US*, FOX NEWS (Dec. 2, 2022), <https://www.foxnews.com/politics/colombia-calls-deportation-protection-nationals-living-illegally-united-states>

⁶ David Vergun, *U.S.-Colombia Defense Leaders to Discuss Security, Migration, Climate Change*, U.S. Dep't of Defense (Nov. 29, 2022), <https://www.defense.gov/News/News-Stories/Article/Article/3231171/us-colombia-defense-leaders-to-discuss-security-migration-climate-change>

In conclusion, we respectfully urge you to (1) defer the removal of individuals from Colombia through a designation of Deferred Enforced Departure pursuant to your constitutional authority to conduct the foreign relations of the United States; (2) launch a public information campaign to notify the impacted community of the decision and any instructions to avail benefits; and (3) provide advance notice of the decision of eligibility to protect Colombians in removal proceedings.

Thank you for your attention to this important matter.

Sincerely,



Pramila Jayapal
Ranking Member
Immigration and Citizenship
Subcommittee



James P. McGovern
Member of Congress



Henry C. "Hank" Johnson, Jr.
Member of Congress



Rashida Tlaib
Member of Congress



Maxwell Alejandro Frost
Member of Congress



Jerrold Nadler
Member of Congress
Ranking Member, Committee
on the Judiciary



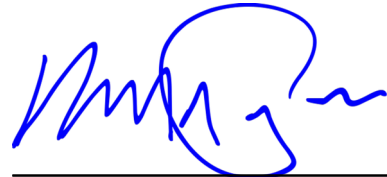
Barbara Lee
Member of Congress



Jan Schakowsky
Member of Congress



Eleanor Holmes Norton
Member of Congress



Mark Pocan
Member of Congress



Sylvia R. Garcia
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Nydia M. Velázquez
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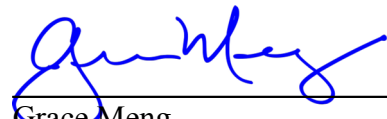
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Grace Meng
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Jamaal Bowman, Ed.D.
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André Carson

André Carson
Member of Congress



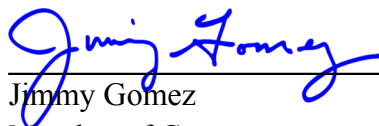
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Mark DeSaulnier
Member of Congress



Jimmy Gomez
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Jesús G. "Chuy" García
Member of Congress



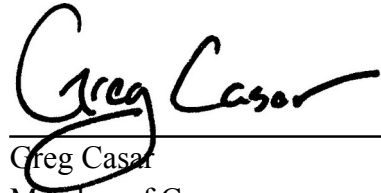
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Donald S. Beyer Jr.
Member of Congress



Delia C. Ramirez
Member of Congress



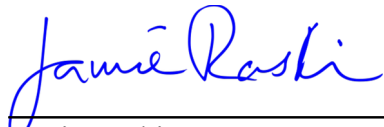
Greg Casar
Member of Congress



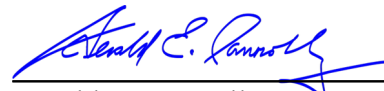
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Dan Goldman
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Jamie Raskin
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Gerald E. Connolly
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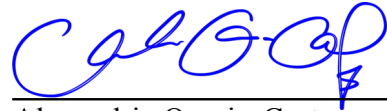
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Veronica Escobar
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Frank Pallone, Jr.
Member of Congress



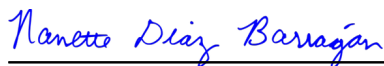
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Nanette Diaz Barragán
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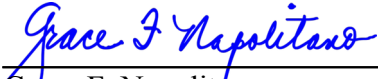
Ilhan Omar
Member of Congress



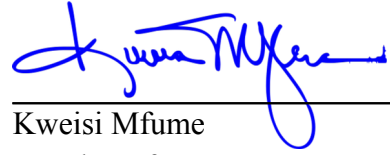
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Grace F. Napolitano
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Kweisi Mfume
Member of Congress



MARK TAKANO
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Jennifer L. McClellan
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CC: Alejandro Mayorkas, Secretary, Department of Homeland Security
Antony Blinken, Secretary, Department of State
Jake Sullivan, National Security Advisor