

United States Senate

WASHINGTON, DC 20510

COMMITTEES:
COMMERCE, SCIENCE, AND
TRANSPORTATION
FOREIGN RELATIONS
SELECT COMMITTEE ON INTELLIGENCE
SMALL BUSINESS AND
ENTREPRENEURSHIP

September 29, 2016

President Barack Obama
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

Dear Mr. President,

As a U.S. senator from Florida, I represent many Americans of Colombian descent who remain concerned and deeply engaged in the daily reality of the homeland they have left behind. As chairman of the Senate subcommittee on the Western Hemisphere, I also have a duty to conduct oversight of U.S. policy towards this region and ensure our interests in a freer, more secure and more prosperous hemisphere are being advanced.

To that end, as the people of Colombia decide whether to accept the peace agreement negotiated by President Santos and his administration, there are several outstanding issues I urge you to address before the referendum scheduled for Sunday, October 2nd, 2016.

You have articulated in your administration's fiscal year 2017 budget request three main goals for U.S. assistance allocated to Colombia. These include expanding and consolidating gains in security and counternarcotics while reintegrating the Revolutionary Armed Forces of Colombia (FARC) into Colombian society; building stronger state presence in rural areas, especially in conflict areas, by increasing the presence of institutions that will reinforce the rule of law and strengthen local economies; and promoting justice and other essential services for conflict victims.

For over half a century, FARC nearly destroyed Colombia and terrorized not only that nation's people but also American citizens who were taken hostage. The State Department designated the FARC as a Foreign Terrorist Organization in 1997, and as a Specially Designated Global Terrorist in 2001 pursuant to Executive Order 13224, and President George W. Bush identified the FARC as a significant foreign narcotics trafficker ("drug kingpin") pursuant to the Kingpin Act.

Many of my constituents were victims held hostage for years by the FARC. As a result, earlier this year, I joined Senator Bill Nelson (D-FL) in introducing the Clarifying Amendment to Provide Terrorism Victims Equity (CAPTIVE) Act (S. 2909), which would make it easier for former American hostages of the FARC to recover legal judgments they have won in court, and update the law to adequately recognize the increasingly close connection between drug trafficking and terrorism.

Even if the Colombian people approve the peace agreement with the FARC this Sunday, I believe your administration should continue listing the FARC as a Foreign Terrorist Organization, Specially Designated Global Terrorist, and FARC members as significant foreign narcotics traffickers. In the event the Colombian people approve the peace agreement, I urge you to provide the following assurances regarding the United States' role in the implementation of any peace agreement with the FARC:

- Reaffirm the FARC will remain designated as a Foreign Terrorist Organization, a Specially Designated Global Terrorist group, and FARC members will remain designated as significant foreign narcotics traffickers until such time as the FARC demonstrates it is no longer engaged in terrorist activities or narcotics trafficking.
- Commit to not release or transfer to Colombia any members of the FARC or any other terrorist organization currently serving criminal sentences in the United States.
- Work with the Colombian government to ensure FARC members declare the location of assets they have generated from criminal activities, so the assets can be made available for reparations to victims, including those residing in the United States.

Even as we all join Colombians in expressing hope at the potential for a just peace to a decades-long conflict, we need to protect U.S. interests and ensure American citizens affected by this conflict are not forgotten. I urge you to keep in mind the U.S. citizens who have suffered at the hands of the FARC as this process unfolds.

Thank you for your attention to this matter. I look forward to your response.

Sincerely,

A handwritten signature in blue ink, appearing to read 'MR', with a long horizontal flourish extending to the right.

Marco Rubio
U.S. Senator