

THE LEGAL BASIS FOR ACTION AGAINST VENEZUELAN DRUG TRAFFICKERS

HEARING

BEFORE THE

SUBCOMMITTEE ON OVERSIGHT

OF THE

COMMITTEE ON THE JUDICIARY

U.S. HOUSE OF REPRESENTATIVES

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THE LEGAL BASIS FOR ACTION AGAINST VENEZUELAN DRUG TRAFFICKERS

Wednesday, March 18, 2026

HOUSE OF REPRESENTATIVES

SUBCOMMITTEE ON OVERSIGHT

COMMITTEE ON THE JUDICIARY

Washington, DC

The Subcommittee met, pursuant to notice, at 2:10 p.m., in Room 2141, Rayburn House Office Building, the Hon. Jefferson Van Drew [Chair of the Subcommittee] presiding.

Present: Representatives Van Drew, Onder, Schmidt, Gill, Crockett, Raskin, and Johnson.

Mr. VAN DREW. The Subcommittee will now come to order. Without objection, the Chair is authorized to declare a recess at any time.

We welcome everyone to today's hearing on the legal basis for action against Venezuelan drug traffickers.

I now recognize the gentleman from Kansas, who will lead us in the pledge, and then we will have a moment of silence for all our troops, including the airmen that were killed in Iraq.

Please rise.

ALL. I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

Mr. VAN DREW. Please remain standing for a moment of silence.
[Moment of silence.]

Mr. VAN DREW. I will now recognize myself for an opening statement.

I want to welcome everyone to the hearing of the Subcommittee on Oversight. Today we're going to examine the legal authority and the national security interests that supported the United States' successful operation to apprehend the indicted narcoterrorist, Nicolas Maduro.

For decades, Nicolas Maduro and the senior officials in his regime worked with some of the world's most violent narcotics traffickers to flood our United States of America with dangerous drugs.

Let's be clear about what this was. Maduro directed a narcoterrorism enterprise that trafficked thousands of tons of cocaine into the United States of America.

This enriched his regime, it empowered criminal cartels, and it poisoned communities across our country. These are our children, our families, our brothers, our sisters, and our aunts and uncles.

I say that during a lot of these hearings because I want people to feel it and realize it and understand, this is not just some vague notion or concept or philosophy. These are real people whose lives are destroyed forever.

It wasn't just corruption, and it wasn't just politics. It was organized crime at the highest level of government.

In 2020, the Department of Justice unsealed an indictment charging Maduro with multiple Federal crimes, including drug trafficking and narcoterrorism.

For years, Maduro evaded justice. He hid behind a fortified regime protected by armed loyalists and foreign security forces.

On January 3, 2026, that changed. The President authorized a targeted operation to capture Maduro and bring him to the United States of America to face true justice.

The U.S. law enforcement, intelligence agencies, and military personnel spent months gathering intelligence and coordinating the operation, code named Absolute Resolve.

During a very precise nighttime raid in Caracas, U.S. Forces extracted Maduro and his wife from a military compound and transported them to the United States of America. Days later, the couple was arraigned in Federal court in New York on these serious charges.

Now, some critics have tried to find fault with this operation. They've tried to frame it as an operation as something that it was not.

Let me once again be clear. This mission was not an invasion. This mission was not war. This mission was not regime change. This mission always was a law enforcement operation to apprehend indicted fugitives who spent decades orchestrating criminal activity that harmed our American people.

The Constitution clearly grants the President broad authority to conduct such operations. Article II authority, the President serves as the Commander in Chief and as the Chief Executive responsible for faithfully executing the laws of the United States.

When American law enforcement could not safely breach a fortified compound controlled by an indicted narcoterrorist, the President had the authority to deploy military force to support the arrest operation.

History supports this type of action. Presidents from both sides of the aisle have authorized U.S. forces to operate to confront criminal regimes, protect American interests, and bring dangerous criminals to justice. That's exactly what happened.

In the months leading to Maduro's capture, the United States also conducted decisive marine operations to disrupt drug smuggling networks operating near Venezuela. The U.S. forces carried out targeted strikes on vessels transporting narcotics through the Caribbean and the Eastern Pacific.

These operations dismantled cartel logistics networks and cutoff funding streams that supported drug trafficking and terrorism.

At the same time, the United States seized sanctioned oil tankers and imposed a maritime blockade on vessels supporting Ven-

ezuela's shadow, illegal—often illegal—oil trade. Those actions mattered.

They weakened the financial lifeline that allowed Maduro's regime to operate with impunity. Together these efforts restored deterrence in the region and helped protect the American homeland from transnational threats and criminals.

You know what? As an aside, the Venezuelan people are so subject to this reign of terror, so many of them, the vast majority of them, don't want to suffer through this, but they're forced to.

Quite frankly, in Venezuela they don't have the Second Amendment, and for them to try to oppose the administration, they're literally there with rakes, shovels, and baseball bats. That just doesn't work. These poor people have been terrorized and destroyed themselves.

Maduro's arrest weakened the influence of hostile actors who used his regime as a foothold in the Western Hemisphere. Who were they? Iranian operatives. Who were they? Hezbollah operatives, Chinese operatives, transnational criminal organizations, really bad, evil folks. All of them exploited Maduro's government to expand their operations around the world.

By dismantling this regime's leadership, the United States took a major step, a major step toward restoring stability and security in our hemisphere of the world.

Critics have claimed the President's actions were unlawful, but both domestic and international law supports them in what they did.

The United States acted to enforce U.S. criminal law to protect American citizens, to dismantle a narcoterrorist network responsible for enormous, unspeakable, and destructive harm.

Ultimately, the operations in and around Venezuela sent a very, very clear message: Those who traffic drugs enable terrorism and undermine democracy, and they cannot hide behind corrupt regimes forever, not in Venezuela and, hope to God, someday not anywhere.

The United States will pursue justice wherever those criminals attempt to hide. Successful operation of Operation Absolute Resolve proves exactly that.

We literally will save lives and families because of the work that was done there. It's really tangible. It's real. It makes a difference.

I thank all the witnesses for being here today on both sides of this issue. We look forward to hearing from you. Once again, I thank you.

I am now going to recognize the Ranking Member, Ms. Crockett, for an opening statement.

Ms. CROCKETT. Thank you so much, Mr. Chair.

Thank you to the witnesses for being here. It seems like we have a lot of students. Otherwise, you have real young faces in here. I want to thank each and every one of you for being here today.

Unfortunately, this is a conversation I never thought we should have and so let's get into it.

The so-called "President of peace" has spent all his time in office dragging the United States into conflict all over the world. He's threatened our closest allies. He started another unauthorized re-

gime change war in the Middle East. In this instance, he invaded a sovereign Nation and kidnapped its leader.

Now, I don't want you to get it twisted and believe for any reason that I think Maduro is a saint. There are processes.

A lot of Republicans in Congress and on this Committee will argue that Trump's attacks on Venezuela will be for the good of the Venezuelan people, as the Chair has laid out.

Let me be clear, Donald Trump does not care about the Venezuelan people and let me give you the receipts on how I know.

He said that Venezuelans were invading the United States. He terminated the protected status of more than 350,000 Venezuelans. He deported Venezuelans to El Salvador's terrorist prison even though many of them had no criminal record.

This was never about helping the Venezuelan people. Donald Trump does not care about Venezuelans at all.

To be clear, there is no legal basis for the U.S. Government to invade a sovereign country and kidnap its leader. There is no legal basis for recklessly bombing people who pose no immediate threat to the United States.

The exact language that I believe the Chair used was that this was a precise operation. I don't know if his definition of "precise" includes the fact that there were at least 40 civilians killed in this operation in Venezuela, and there was a total of 83 persons that were killed during this invasion.

Donald Trump's unlawful military action in Venezuela was never about stopping illicit drugs from entering the United States. According to the DEA's National Drug Threat Assessment, Venezuela has little to no role in smuggling illicit fentanyl into the United States.

In fact, DEA has never listed Venezuela as a fentanyl source or transit country. Coast Guard and military data do not show any fentanyl coming from Venezuelan-linked maritime routes.

It's interesting because the last thing that I remember hearing about is that the President decided not to consult with Congress before going into Venezuela, but to consult with oil corporate executives. I'll just put that out there.

Donald Trump, he also pardoned former Honduran President Juan Hernandez who was found guilty in a court of law in these United States of trafficking more than 400 tons of cocaine into the United States, which is double the amount of cocaine that Trump's own State Department estimates was trafficked through the entire country of Venezuela.

International drug traffickers love Donald Trump because they know that even if they are arrested, it's easy enough to get a pardon from him.

The data shows that Donald Trump is one of the most prodrug trafficking Presidents in modern-day history. Since he took office, prosecutions for drug trafficking have fallen to the lowest levels in decades, because the agents tasked with going after drug cartels have either been fired or forced to start raiding your local Home Depot; or illegally breaking into the homes of American citizens; or monitoring community schools and churches so that the government can disappear entire families.

It was never about protecting Americans. It was never about bringing democracy to Venezuela. It was never about stopping illicit drugs from entering the country. Like everything else this administration does, it was about corruption.

The President told oil executives about the planned attack days before it happened. Trump then promised that oil companies would be fully reimbursed by American taxpayers for any investments they make in Venezuela.

Once the President illegally took control over Venezuela's oil reserves, the first sale went to the company of a man who donated \$6 million to Trump's campaign.

This is why the President attacked Venezuela. This was about greed. This was about controlling their oil, so that the oil executives who donated to his campaign can make even more money.

Not only was this illegal and corrupt, it's also extremely expensive for U.S. taxpayers. The operation to capture Maduro cost taxpayers at least \$3 billion, and it is now costing taxpayers hundreds of millions of dollars to maintain the oil tankers that the U.S. Government has seized.

As a Texan, let me tell you, this is not helping those in my State that engage in oil work.

This erratic and illegal foreign policy is now responsible for the deaths of 13 U.S. servicemembers and has made the Republican-caused economic crisis even worse.

The final point that I'll make is that, especially as we have young people here, there's a lot that we can learn from our youth. I remember as a little girl being told things like "Two wrongs don't make a right."

It is very clear that Maduro is a wrong guy, and he may have even been illegally in power. The idea that you would meet illegality with further illegality does not necessarily make it right.

As someone who is trained in the law, as someone who still respects the law, as someone who believes that law and order should matter in this country—I can't speak for others—it is a shame that we do not have enough people that understand the Constitution that are serving in the Congress and decide that they want to stand up and protect Americans as we have a lawless, 34 count convicted felon that is continuing to engage in illegal actions that are harming both us here domestically as well as Americans and others abroad.

With that, I will yield.

Mr. VAN DREW. Thank you, Ms. Crockett. I will now recognize the Ranking Member of the Full Committee, Mr. Raskin.

Mr. RASKIN. Mr. Chair, thank you very much. Thanks to the witnesses for joining us today.

Since the summer, the administration has launched more than 40 strikes on alleged drug boats in international waters, mostly in the Caribbean, killing at least 157 people. This is without any declaration of war.

I am also moved, like Ms. Crockett, by all the young people here today.

I just want to remind you to read your Constitution, because in Article I, Section 8, Clause 11, it gives Congress the power to declare war.

The Founders of our country were so adamant about this. James Madison wrote a letter from Thomas Jefferson specifically on the subject, saying the kings were constantly plunging their countries into wars of conceit and vanity, imperial avarice, and corruption, and it had to be the representatives of the people who decide to go to war, and not one guy.

Today, not Donald Trump, not J.D. Vance, or not Tulsi Gabbard, it's got to be the representatives of the people. As with what's taking place in Iran today, there is no declaration of war.

As I survey the wreckage of this administration's drug enforcement policy, I'm reminded of what Talleyrand said about Napoleon who murdered one of his cousins. He said, "This is worse than a crime, it's a mistake."

What has taken place with these lethal strikes on drug boats is both a crime—murder—plain and simple—but it's also a mistake.

The administration has not provided any plausible legal justification under domestic or international law for Trump to use the military to kill anyone that he unilaterally deems to be a terrorist.

If these people were on U.S. soil, they would be arrested based on probable cause, if it existed. They'd be indicted. They'd be tried in court. Then, they'd be convicted by a jury of their peers or they'd be acquitted.

Donald Trump knows something about the criminal justice process. He demanded every right in the arsenal of due process rights we have, and well he should have when he was convicted on 36 different counts of felony fraud.

He had the right to counsel. He had the right to present evidence. He had the right to cross-examine. He had the right to be indicted and the right to a jury of his peers deciding the case.

Even out at sea, our Coast Guard knows how to interdict a ship and take sailors into custody.

In America, we arrest and we prosecute people who commit crimes. We don't blow them out of the water with a Hellfire missile.

These boat strikes are also, though, spectacular and costly mistakes, obviously a made-for-TikTok distraction, covering up the completely ineffectual drug policies of the administration, and then, in a self-defeating way, preventing us from focusing on what really works in fighting drugs.

Under the Biden Administration, the U.S. saw the largest drop in opioid and fentanyl overdose deaths in history, from 80,000 in 2023 to 54,000 in 2024. Again, the huge numbers of people, but still moving things in the right direction.

In West Virginia, opioid deaths declined by 46 percent; in Wisconsin by 44 percent. Things were moving in the right direction.

President Trump appears to be doing everything in his power to reverse this progress with his characteristic recklessness and bravado.

Just a few months ago, he slashed staffing at the Substance Abuse and Mental Health Services Administration by 50 percent. He terminated \$1.7 billion in block grants for mental health services for State health departments. He cut \$350 million in addiction and overdose prevention funding in 2025.

It's already way underfunded, but he's been slashing away at the money that's actually there.

His One Big Ugly Bill cut tens of billions of dollars out of Medicaid, which provides health coverage to nearly half of adults in America who have an opioid-use disorder.

We are not going to be able to treat addiction to opioids and the crisis we have in overdoses by blowing up boats in the middle of the ocean. We've got to treat the people who are suffering from these addictions.

Mr. Chair, it's not a video game, it's a national public health and medical emergency, and we're not going to be able to bomb our way out of a fentanyl crisis.

More than 5,000 FBI and DEA agents have been reassigned from combating drug cartels, actually fighting drug cartels, to immigration enforcement to meet Stephen Miller's immigration quotas.

Last year, Attorney General Bondi terminated the Department of Justice's Organized Crime Drug Enforcement Task Forces, a long-standing strike force created by Ronald Reagan, which allowed DOJ to coordinate with agencies investigating cartels and international criminal networks.

Over the last four decades, these task forces conducted more than 37,000 investigations of overseas criminal drug and trafficking enterprises, leading to the conviction of over 321,000 defendants and we're dismantling it.

Our witness today, Thomas Padden, is the former Acting Director of the Organized Crime and Drug Enforcement Task Force. As a nonpartisan law enforcement professional Mr. Padden can testify to what was the efficacy and utility of this task force when it comes to dismantling drug trafficking networks, and he can explain just how dangerous the elimination of these tools will be and already has been for our country.

The Trump Administration claims it launched these deadly boat strikes because the Maduro regime was bringing cocaine into the United States and Trump is a tough and determined fighter of cocaine.

Check this out. Just last year, President Trump pardoned Juan Orlando Hernandez, the convicted mega cocaine trafficker and disgraced former President of the country of Honduras.

Hernandez turned Honduras into a full blown narco State and used his Presidency to operate one of the largest and most violent drug trafficking conspiracies on Earth.

When asked why Trump would pardon a narcotrafficker responsible for shipping 400 tons of cocaine—that's more than 800,000 pounds of cocaine, someone will correct my math if I'm wrong on that—800,000 pounds of cocaine into our country, President Trump responded that the decade-long criminal investigation into Hernandez was, quote, "nothing more than a Biden set-up" which is a remarkable claim, given that it was Trump's own former defense attorney and former DOJ senior official and now handpicked Federal Judge Emil Bove who built the case against Hernandez and his family during Trump's first term.

Hernandez is a coke smuggler and dealer who was taped saying: "We're going to shove the drugs up the noses of the gringos."

He had apparently other connections to the Trump family and the Trump White House, and he was able to get his pardon.

If you think that was unusual, check out Trump's pardon of Ross Ulbricht, the founder of Silk Road, a website that facilitated more than 1.5 million narcotics transactions.

Prosecutors described Ulbricht as the kingpin of a worldwide digital drug-trafficking enterprise for his role in operating the crypto-powered online black market which facilitated the sale not just of cocaine, but heroin and fentanyl and other deadly drugs.

Well, this drug kingpin-friendly administration has cut health-care funding for Americans who are suffering from opioid use disorder, they've pardoned narcotraffickers, and they've dismantled the law enforcement apparatus that actually combats drug trafficking and international crime. Federal drug prosecutions dropped by 10 percent last year.

This new "shoot first, ask questions later" approach to the war on drugs has not substantially stopped drugs from coming into the country in any way. For decades, the Coast Guard stopped the same boats we're blowing up now.

We have not stopped any fentanyl from coming into the United States, the drug primarily responsible for killing Americans, since Venezuela does not produce or export any substantial amount of fentanyl. They changed the subject and started talking about cocaine.

These strikes fundamentally weaken our ability to bring cases against drug kingpins or the networks that actually sent these drugs since we're blowing up the lower-level witnesses that we need to indict and prosecute higher-level operators.

Well, it's not just the pardons that make no sense. ICE's obsession with meeting Miller's deportation targets has led them to detain individuals who should be standing trial for their drug offenses.

In a number of cases, State drug cases have been delayed or even dismissed altogether where defendants detained by ICE have failed to appear in court.

One judge was forced to dismiss a case against a person working with the Sinaloa drug cartel because he was in ICE custody instead and was deported.

If they've committed crimes here, they should be prosecuted here, and they should be sentenced and fined here.

The billions of dollars these unlawful and ineffective executions cost could be used to save American lives. We should fully restore mental health service funding. We could support rural hospitals that are on the front line of this addiction crisis. We could be investigating real drug traffickers and prosecuting more drug cases.

The Secretary of War Hegseth needs his clicks, and so we continue bumbling down this reckless, inexplicable, and counterproductive path. It's not just a crime. It's a mistake.

I yield back to you, Mr. Chair.

Mr. VAN DREW. I thank the Ranking Member. Without objection, all the opening statements will be included in the record. We will now introduce today's witnesses.

Professor Josh Blackman. Mr. Blackman is a Professor of Law and the Centennial Chair of Constitutional Law at the South Texas College of Law, Houston, Texas.

His research focuses on constitutional law, the intersection of law and technology, and the U.S. Supreme Court.

Mr. Franklin Camargo. Did I pronounce that correctly? Good.

Mr. Camargo is a political commentator. He fled Venezuela after the Maduro regime accused him of terrorism, they accused him of terrorism, for advocating for political liberty and capitalism. He was granted political asylum by the United States in 2019.

I know we can't make the whole world run right, and I know we can't change all the regimes, but Venezuela was a cruel and horrible place, and so many people were mistreated and hurt there.

Ms. Gina D'Andrea. Ms. D'Andrea is the General Counsel for the America First Policy Institute. She previously was a Deputy General Counsel and a litigation attorney for the AFPI.

Mr. Thomas Padden. Mr. Padden previously served as the Acting Director of the Organized Crime Drug Enforcement Task Force from June 2008–March 2025. He served as the Deputy Director of the task force.

We're going to begin by swearing you all in. Would you please rise, and once you've risen, please raise your right hand.

Do you swear or affirm under the penalty of perjury that the testimony you are about to give is true and correct according to the best of your knowledge, information, and belief, so help you God?

Thank you. You may sit down.

Let the record reflect that the witnesses have answered in the affirmative.

Please know that your written testimony will be entered into the record in its entirety, all of it. Accordingly, we ask that you summarize your testimony to five minutes.

Professor Blackman, we are going to start with you. The floor is yours.

STATEMENT OF JOSHUA BLACKMAN

Mr. BLACKMAN. Thank you. Chair Van Drew, Ranking Member Crockett, and Ranking Member Raskin, thank you for inviting me to testify.

My name is Josh Blackman, and I hold the Centennial Chair of Constitutional Law at the South Texas College of Law, Houston.

I'm grateful this hearing was titled at a broad level of generality: "The Legal Basis for Action Against Venezuelan Drug Traffickers." This hearing is not about a series of isolated events, such as boat strikes in the Caribbean or the arrest of Nicolas Maduro. Rather, over the course of six years, the first and second Trump Administrations took a series of escalating actions against Venezuelan drug traffickers, culminating in Operation Absolute Resolve on January 3, 2026.

The legal basis for the boat strikes and Maduro's arrest must be understood in the context of all that came before. In my brief testimony, I want to offer a bird's-eye view of the actions taken.

First, on March 26, 2020, the U.S. Attorney for the Southern District of New York unsealed a criminal indictment against Maduro on charges of narcoterrorism.

Second, on January 20, 2025, President Trump designated Tren de Aragua (TDA), as a foreign terrorist organization (FTO).

Third, the event occurred on March 15, 2025. President Trump invoked the Alien Enemies Act of 1798 regarding TDA. The proclamation stated that Maduro “maintains close ties to regime-sponsored narcoterrorists,” including TDA. The President used this proclamation to remove alleged TDA members.

However, Judge James Boasberg ordered the plane to turn around over international waters, and to this day, the Federal court is still considering whether President Trump properly invoked the Alien Enemies Act. This statute had been in the books since John Adams was President.

Fourth, the event occurred on March 24, 2025. President Trump imposed emergency tariffs on Venezuelan oil. The Executive Order found that the Maduro regime “continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States.”

Fifth, on July 17, 2025, the Treasury Department imposed sanctions on top leaders of TDA. At the time Secretary of State Marco Rubio announced that “Maduro, currently indicted by our Nation, has corrupted Venezuela’s institutions to assist the cartel’s criminal narcotrafficking scheme into the United States.”

Sixth, according to press reports, by August 2025, President Trump had directed the Pentagon to use military forces against TDA. Throughout August there was a major buildup of Naval force in the Caribbean.

Seventh, on September 2, 2025, President Trump announced that, quote, “U.S. military forces conducted a kinetic strike against a TDA boat in international waters,” which was “operating under the control of Nicolas Maduro.”

President Trump sent a letter to Congress and said the strike was justified as, quote, “self-defense of the United States.”

To date, the military has struck approximately 45 vessels.

Eighth, in October, Pentagon officials and the head of the Office of Legal Counsel briefed Members of Congress—maybe even some of you—about the legal basis of boat strikes.

The opinion was based on the premise that the President could determine that the United States is in a formal armed conflict with narcoterrorist drug cartels. This opinion has not been made public and I haven’t seen it.

On November 6, 2025, the Senate voted on a war powers resolution that would have terminated hostilities against Venezuela. That resolution did not pass.

Ninth, on December 10, 2025, the United States seized an oil tanker off the coast of Venezuela.

Tenth, on December 23, 2025, the Office of Legal Counsel signed a 22-page opinion, concluding that the “President may lawfully order military personnel to assist law enforcement in removing Maduro from Venezuela.”

That opinion has been released and I’m happy to discuss it with you later today.

Eleventh, on January 3, 2026, the United States executed the law enforcement operation known as Operation Absolute Resolve. FBI agents, who were protected by a massive but short-lasting

military operation, arrested Maduro and his wife. They were returned and extradited to New York City.

The legal issues here are complex and touch on matters of domestic and international law. Difficult decisions were made based on classified information that is not public, as those legal opinions have not been released.

My analysis here is necessarily incomplete and speculative. I don't have all the facts, and you probably have more facts than I do.

Finally, it's useful to remember that these issues are not the sort that courts will resolve. Rather, these matters fall to the political branches—the Congress and the President.

I am thankful to be here as Congress performs its important role under the Constitution for providing oversight of the executive branch.

Thank you for your attention.

[The prepared statement of Mr. Blackman follows:]

**United States House of Representatives
Committee on the Judiciary
Subcommittee on Oversight
March 18, 2026**

“The Legal Basis for Action Against Venezuelan Drug Traffickers”

**Statement of Professor Josh Blackman
Centennial Chair of Constitutional Law
South Texas College of Law Houston**

Prepared Testimony

Chairman Jordan and Chairman Van Drew, Ranking Member Raskin and Ranking Member Crockett, thank you for inviting me to testify. My name is Josh Blackman and I hold the Centennial Chair of Constitutional Law at the South Texas College of Law Houston.

I'm grateful this hearing was titled at a broad level of generality: "The Legal Basis for Action Against Venezuelan Drug Traffickers." This hearing is not about a series of isolated events, such as boat strikes in the Caribbean or the arrest of Nicolas Maduro. Rather, over the course of six years, the first and second Trump Administrations have taken a series of escalating actions against Venezuela drug traffickers, culminating in Operation Absolute Resolve on January 3, 2026. The legal basis for the boat strikes and Maduro's arrest must be understood in the context of all that came before. In my brief testimony, I want to offer a birds-eye view of the actions taken.

First, on March 26, 2020, the United States Attorney for the Southern District of New York unsealed a criminal indictment against Nicolas Maduro on charges of narco-terrorism.¹ No action would be taken to extradite Maduro for nearly six years.

The process continued on inauguration day of Trump's second term. Second, on January 20, 2025, President Trump designated Tren de Aragua (TdA) as a foreign terrorist organization.² The order stated that TdA "operate[s] within and outside the United States" and "present[s] an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States."

The third event occurred on March 15, 2025.³ President Trump invoked the Alien Enemies Act of 1798 regarding TdA. The proclamation stated that Maduro

¹ <https://www.justice.gov/opa/page/file/1261806/dl?inline=>

² <https://www.whitehouse.gov/presidential-actions/2025/01/designating-cartels-and-other-organizations-as-foreign-terrorist-organizations-and-specially-designated-global-terrorists/>

³ <https://www.whitehouse.gov/presidential-actions/2025/03/invocation-of-the-alien-enemies-act-regarding-the-invasion-of-the-united-states-by-tren-de-aragua/>

“maintains close ties to regime-sponsored narco-terrorists” including TdA. The proclamation observed that the link between Maduro and TdA yields “a hybrid criminal state that . . . poses a substantial danger to the United States.” An FBI intelligence memo concluded that the Maduro regime “likely use[d] TdA members as proxies.”⁴ The President used this proclamation to remove alleged TdA members. However, Judge James Boasberg infamously ordered that military planes over international waters must turn around. To this day, the federal courts are still considering whether President Trump properly invoked the Alien Enemies Act, a statute that has been on the books since the John Adams Administration.

The fourth event occurred on March 24, 2025. President Trump imposed emergency tariffs on Venezuelan oil.⁵ The executive order found that the Maduro regime “continue[s] to pose an unusual and extraordinary threat to the national security and foreign policy of the United States.” The order further ruled that the actions of TdA “have intensified this threat.”

Over the summer, the pressure would increase. Fourth, on July 17, 2025, the Treasury Department imposed sanctions on top leaders of TdA.⁶ At the time, Secretary of State Marco Rubio announced that “Maduro, currently indicted by our nation, has corrupted Venezuela’s institutions to assist the cartel’s criminal narco-trafficking scheme into the United States.”⁷

Fifth, according to press reports, by August 2025, President Trump had directed the Pentagon to use military force against TdA.⁸ Throughout August, there was a major build of naval forces in the Caribbean Sea.⁹

⁴ <https://static01.nyt.com/newsgraphics/documenttools/cf81b6125042f40a/71f6f46f-full.pdf>

⁵ <https://www.whitehouse.gov/presidential-actions/2025/03/imposing-tariffs-on-countries-importing-venezuelan-oil/>

⁶ <https://home.treasury.gov/news/press-releases/sb0195>

⁷ <https://www.state.gov/releases/office-of-the-spokesperson/2025/07/standing-with-the-venezuelan-people-one-year-after-yet-another-sham-election>

⁸ <https://www.nytimes.com/2025/08/08/us/trump-military-drug-cartels.html>

⁹ <https://www.nytimes.com/2025/08/22/us/politics/trump-venezuela-drug-war.html>

Sixth, on September 2, 2025, President Trump announced that “U.S. Military Forces conducted a kinetic strike against [a] positively identified” TdA boat in “international waters,” which was “operating under the control of Nicolas Maduro.”¹⁰ Secretary of State Rubio said those on the boat, “pose[d] an immediate threat to the United States, period.”¹¹ President Trump told Congress the strike was justified as “self-defense” of the United States.¹² To date, the military has struck approximately forty-five vessels.¹³

Seventh, in October, Pentagon officials and the head of the Office of Legal Counsel, briefed members of Congress about the legal basis of the boat strikes.¹⁴ According to press reports, the Office of Legal Counsel prepared a classified forty-page opinion concluding that the boat strikes are lawful as the United States is engaged in an armed conflict with TdA, a terrorist drug cartel that sells narcotics to finance violence.¹⁵ The opinion was based on the premise that the President can determine that the United States is in a formal armed conflict with “narco-terrorist” drug cartels. This opinion has not been made public. On November 6, 2025, the Senate voted on a war powers resolution that would have terminated hostilities against Venezuela.¹⁶ The resolution failed.

Eighth, on December 10, 2025, the United States seized an oil tanker off the coast of Venezuela.¹⁷ Six days later, on December 16, President Trump ordered a complete blockade of oil tankers traveling to and from Venezuela.¹⁸

Ninth, on December 23, 2025, the Office of Legal Counsel signed a twenty-two page opinion concluding that the “President may lawfully order military personnel to

¹⁰ <https://truthsocial.com/@realDonaldTrump/posts/115136798909755892>

¹¹ <https://www.nytimes.com/2025/09/03/us/politics/hegseth-venezuela-drug-strike.html>

¹² <https://static01.nyt.com/newsgraphics/documenttools/8616481a85b02a2c/b05f64ca-full.pdf>

¹³ <https://www.nytimes.com/interactive/2025/10/29/us/us-caribbean-pacific-boat-strikes.html>

¹⁴ <https://www.nytimes.com/2025/10/29/us/politics/military-drug-boat-strikes.html>

¹⁵ <https://www.nytimes.com/2025/11/13/us/politics/boat-strikes-doj-memo-trump.html>

¹⁶ <https://www.congress.gov/bill/119th-congress/senate-joint-resolution/90><https://www.congress.gov/bill/119th-congress/senate-joint-resolution/90>

¹⁷ <https://www.nytimes.com/2025/12/10/us/politics/oil-tanker-seized-us-venezuela-trump.html>

¹⁸ <https://truthsocial.com/@realDonaldTrump/posts/115731908387416458>

assist law enforcement in forcibly removing Maduro from Venezuela to the United States for prosecution.”¹⁹ That opinion became public in January.

Tenth, on January 3, 2026, the United States executed the law enforcement operation known as Operation Absolute Resolve. FBI agents, who were protected by a massive but short-lasting military operation, arrested Maduro and his wife. The defendants were transported to the Southern District of New York to face criminal charges. (A superseding indictment charged Maduro’s wife.²⁰) On January 14, 2026, another War Powers Resolution failed in the Senate.²¹

The legal issues here are complex and touch on matters of domestic and international law. Difficult decisions were made based on classified information that is not public as well as legal opinions that have not been released. My analysis here is necessarily incomplete and speculative. Finally, I think it is useful to remember that these issues are not the sort that the courts will resolve. Rather, these matters fall to the political branches: the Congress and the President. I am thankful to be here as Congress perform its constitutional role in providing oversight of the executive branch.

Thank you for your attention.

¹⁹ <https://www.justice.gov/olc/media/1423306/dl?inline>

²⁰ <https://www.nytimes.com/2026/01/03/us/politics/maduro-venezuela-trump-legal-issues.html>

²¹ <https://www.congress.gov/bills/119th-congress/senate-joint-resolution/98/all-actions>

Mr. VAN DREW. Thank you, Professor. Mr. Camargo, you may begin.

STATEMENT OF FRANKLIN CAMARGO

Mr. CAMARGO. Chair Van Drew, Ranking Member Crockett, Ranking Member Raskin, and the Members of the Subcommittee, thank you for your invitation to share my experience and offer my thoughts on recent American action against Venezuelan criminals.

One of those criminals once accused me of being a terrorist. Today the real terrorist, Nicolas Maduro, is behind bars.

I was born in Venezuela and soon experienced the failures of socialism. When I spoke out, I was accused of terrorism under a so-called Law Against Hatred.

I could have been thrown in jail for as many as 20 years. I escaped, but my family wasn't so lucky. My cousin was tortured and spent more than two years in political prison.

I was blessed to legally immigrate to the United States, and I was granted asylum. Today I work at PragerU where I promote American values.

One value that made the United States the greatest country on Earth is moral clarity.

Ronald Reagan was quite clear when he called the Soviet Union an evil empire. For that same reason, it is important to be clear today. Maduro was not simply a bad President or a rogue leader. He's an evil narcoterrorist who committed crimes against Americans.

There are some here today who can testify to the legality of Operation Absolute Resolve. I want to testify to its necessity.

Let me first explain why Maduro's capture serves American interests.

The Chavez and Maduro regimes turned Venezuela from a long-time ally of the United States into a drug cartel. Two hundred fifty tons of cocaine moved through Venezuela each year under the protection of the regime itself, otherwise known as Cartel de los Soles, Cartel of the Suns.

Thirty thousand Americans died from cocaine overdoses every single year. When a narcoregime floods our neighborhoods with dangerous drugs, American families pay the price. That is why the Department of Justice indicted Nicolas Maduro in 2020 for narcoterrorism.

Drug trafficking was not Maduro's only crime. The regime established an official government conspiracy of sending violent criminals to the United States with a not-so-secret goal to subvert this country.

Among them were members of the dangerous gang Tren de Aragua, who were responsible for armed robberies, sexual assaults, and the vicious murders of Laken Riley and of Jocelyn Nungaray.

Make no mistake. This was not an accident. It was part of a deliberate regime strategy.

Just ask Hugo "El Pollo" Carvajal, the head of Venezuela's military intelligence revealed the truth about drug trafficking. It was not about making money. Drugs were deliberately used as a weapon of mass destruction against the United States.

Carvajal detailed the regime's collusion with Colombian guerilla, Hezbollah terrorists, and Cuban intelligence. In other words, one of the architects of the policy itself revealed the truth: The ultimate goal was to destabilize these United States of America.

That is reason enough to indict Nicolas Maduro, to capture him, and to bring him to justice. Anything less would have amounted to a dereliction of duty.

American action in Venezuela, therefore, was not some rogue act of aggression. It was in defense of the sovereignty and security of the American people.

Some suggest Venezuela also has a right to sovereignty, of self-determination. I agree. A majority of Venezuelans agree. Are those claiming to advocate for Venezuela talking about sovereignty of the Venezuelan people or about sovereignty of the regime?

Too many describe Maduro as a legitimate President. He wasn't. Most international observers concluded elections were stolen in 2013, 2018, and in 2024.

He was not kidnapped. Maduro was a fugitive, indicted by the U.S. Department of Justice, who felt the long arm of the law.

When we protested in Venezuela, some of us would carry the American flag, that flag right there, because it has a very powerful meaning, something innate in each of us, freedom.

Today I've never seen Venezuelans so optimistic. If the country of my birth becomes free again it would benefit both Venezuela and the United States.

America would be stronger without a narcoterrorist base just a short flight from Miami. Our economy would be stronger and more prosperous alongside an ally who no longer does business with adversaries like China. There is no doubt America would be safer, stronger, more prosperous with a free Venezuela.

The capture of Nicolas Maduro was not only justified. It was necessary for the security of the American people.

Thank you and I look forward for your questions.

[The prepared statement of Mr. Camargo follows:]

Statement of Franklin Camargo

Before the Subcommittee on Oversight

Committee on the Judiciary

U.S. House of Representatives

Hearing: The Legal Basis for Action Against Venezuelan Drug Traffickers

Chairman Jordan, Ranking Member Raskin, and Members of the Subcommittee, thank you for your invitation to share my experience and offer my thoughts on recent American action against Venezuelan criminals.

One of those criminals, Nicolás Maduro, once accused me of being a terrorist. But thanks to President Trump and his administration's Operation Absolute Resolve, today the real terrorist is behind bars.

I was born in Venezuela, and soon experienced the failures of socialism. When I spoke out against Maduro's regime and his failed policies, I was accused of terrorism under a so-called Law Against Hatred. I could have been sentenced to up to 20 years in prison. I escaped, but my family wasn't so lucky. My cousin was tortured and spent more than two years in political prison.

I was blessed to legally immigrate to this country, and received asylum during the first Trump administration.

And today I work at PragerU where I promote American values.

One value that made the United States the greatest country on earth is moral clarity. Ronald Reagan was quite clear when he called the Soviet Union an "evil empire."

And for that same reason it is important to be clear today:

Nicolás Maduro was not simply a bad president. He is an evil narco-terrorist who committed crimes against Americans. There are others here today who can testify to the legality of United States action in Venezuela. I want to testify to its necessity.

Venezuela is very close to the United States. Caracas is about 1,400 miles from Miami. That means Venezuela is closer to Miami than Miami is to Los Angeles. For that reason alone, what happens in Venezuela should matter to the United States.

Venezuela has the largest proven oil reserves in the world. Before Maduro was captured, close to 90% of Venezuela's oil exports were going to China.

Let me first explain why Maduro's capture serves American interests. The Maduro regime turned Venezuela into a drug cartel. Between 200 and 250 metric tons of cocaine move through Venezuela each year under the protection of a criminal network—intimately linked to

high-ranking Maduro officials—known as the Cartel of the Suns (Cartel de los Soles). 30,000 Americans die from cocaine overdoses every single year. When a narco-regime floods the hemisphere with dangerous drugs, American families pay the price.

That is why the Department of Justice indicted Nicolás Maduro in 2020 for narco-terrorism. The Biden administration was no less committed to bringing Maduro to justice when it increased a reward offered for information leading to his arrest .

But drug trafficking was not Maduro's only crime. The regime established an official government conspiracy of sending violent criminals to the United States. Among them were members of the dangerous gang Tren de Aragua who were responsible for robberies, sexual assaults, and murders. Some of these criminals were connected to cases that shocked the country, including the murders of Laken Riley and of Jocelyn Nungaray.

This was not an accident. It was part of a deliberate regime strategy.

Consider Hugo "El Pollo" Carvajal who served as the head of Venezuela's military intelligence and as one of the most powerful political figures in Venezuela.

Carvajal stated that he personally witnessed how the government of Hugo Chávez turned into a criminal enterprise, later led by Nicolás Maduro. According to Carvajal, this structure operates as the Cartel of the Suns, a drug trafficking network embedded inside the Venezuelan armed forces. Carvajal revealed the truth about drug trafficking was not only to make money; drugs were deliberately used as a weapon against the United States.

Carvajal detailed how the regime worked together with Colombian guerrilla groups, Cuban intelligence operatives, and even Hezbollah to weaponize drug trafficking.

In other words, one of the architects of the policy itself testified the Venezuelan regime coordinated drug dealers, gangs, and other bad actors all with the goal to destabilize the United States.

The capture of Nicolás Maduro therefore was not some rogue act of international aggression. It was a defense of the sovereignty and security of the American people.

Some suggest Venezuela also has a right to sovereignty, of self-determination. I agree. A majority of Venezuelans agree. But are those claiming to advocate for Venezuela talking about sovereignty of the Venezuelan people or about sovereignty of the regime?

Any conflation of self-determination with Maduro confuses things. A mafia who hijacked the Venezuelan state has no right to sovereignty. It is the Venezuelan people who are sovereign.

Some argue capturing Nicolas Maduro would be equivalent to another country "invading" the United States and "kidnapping" our president. But that assumes Maduro was a legitimate president—he wasn't. Most international observers concluded Maduro stole the elections in 2013, 2018, and 2024. Neither the Trump administration nor the Biden administration recognized Maduro as president. Maduro was not "kidnapped." He was a fugitive indicted by the U.S. Department of Justice.

Maduro is a narco-terrorist who used the Venezuelan state to traffic drugs and to export criminals with the expressed purpose of destabilizing the United States and of harming Americans. That is reason enough to indict Maduro, to capture him, and to bring him to justice. Anything less would've amounted to a dereliction of duty in the face of an active threat to the American people.

When we protested in Venezuela, some would carry American flags. They did so because that flag represents something very powerful, something innate in each of us: freedom. Today, I've never seen Venezuelans this optimistic. If the country of my birth finally becomes free, it would benefit both Venezuela and the United States.

The United States is safer without a narco-terrorist operating just 1,400 miles from Miami. The American economy would be stronger and more prosperous alongside a free Venezuela— a natural ally that no longer does business with adversaries like China. We are safer, stronger, and more prosperous with a free Venezuela.

The capture of Nicolás Maduro was not only justified. It was necessary for the security of the American people.

Thank you and I look forward to your questions.

Mr. VAN DREW. Thank you, Mr. Camargo. Next, Ms. D'Andrea.

STATEMENT OF GINA D'ANDREA

Ms. D'ANDREA. Thank you, Mr. Chair, Madam Ranking Member, Mr. Ranking Member, and the distinguished Members of this Committee.

My name is Gina D'Andrea. I serve as General Counsel of the America First Policy Institute, and I'm here today to talk about the legal basis for the President's authority to take military action to protect the American people from external threats.

As I'll explain, the President's authority in such situations rests on long-accepted Constitutional grounds and has, in fact, been exercised by various Presidents dating back to the Founding Fathers.

First, a brief recap of what's going on in the Western Hemisphere.

Evidence shows that the United States is confronting a narcoterrorist network that operates within Venezuela.

Under Nicolas Maduro, Venezuela has served as a hub for extra-hemispheric actors who are hostile to the United States, enabling the trafficking of drugs and criminals into our homeland.

Maduro was indicted by a Federal grand jury in the Southern District of New York on charges of narcoterrorism and conspiracy to import cocaine into the United States.

Neither the United States, under both the Biden and Trump Administrations, nor the European Union, has recognized him as a legitimate head of State.

In fact, under the prevailing norms of customary international law, even the United Nations would be hard-pressed to recognize Maduro's legitimacy.

He lost the 2024 election. He refused to cede power. No principle of international recognition, whether grounded in effective control or democratic legitimacy, can sustain a claim to lawful governance by a leader who holds office in defiance of his own electorate.

He's been named by the Department of State as the official leader of the Cartel de los Soles and has used this power to weaponize an illegitimate mafia to traffic narcotics into American communities on an industrial scale.

He's also alleged to have worked against U.S. interests with Iran, including potentially aiding Iranians in entering the United States under the illegal CHNV parole program that was in operation during the Biden Administration.

The evidence is clear. This is not a foreign policy dispute. It's the protection of the American people and the enforcement of American criminal law.

The authority of the President under Article II of the Constitution is sufficient to support action to address these threats from America's neighbors.

As Commander in Chief, the President bears the primary responsibility and, truthfully, the obligation to protect the American people and ensure national security.

This authority to address external threats before they reach the homeland has bipartisan recognition, dating back to the Founding Fathers.

The administration's recent Executive Order designating the cartel networks as foreign terror organizations recognizes that these are not ordinary criminals and are instead paramilitary entities that pose a direct threat to the United States.

This designation bolsters the President's authority to take action in defense of the American people.

Turn to the strikes on the narcotrafficker vessels. Congress itself has designated the Department of War as the lead Federal agencies for detecting and monitoring drug trafficking into the United States.

The Maritime Drug Law Enforcement Act vests Federal jurisdiction over drug trafficking aboard vessels on the high seas. These strikes were carried out as a result of evidence showing such drug trafficking was taking place.

More to the point, the Commander in Chief has the constitutional authority to protect the homeland. Striking vessels that evidence shows serve as instrumentalities of narcoterrorism is a lawful exercise of that power.

Turn next to the capture of Maduro. Operation Absolute Resolve was not an act of war or regime change. It was a targeted law enforcement operation that used a whole-of-government approach to execute a Federal arrest warrant.

It was not the first time the United States has done this. In 1989, the United States deployed military forces to apprehend General Noriega, the then-sitting dictator indicted on Federal drug trafficking charges.

Federal courts upheld jurisdiction and rejected his head of State immunity claim.

Perhaps most relevant is that Maduro, like Noriega, enjoys no sovereign immunity because the United States does not recognize him as a legitimate head of State.

Both operations draw further support from the President's constitutional authority over foreign affairs. What's more, the War Powers Resolution of 1973 expressly preserves the President's independent Article II authority. The administration complied with its procedural requirements.

The Office of Legal Counsel has maintained across administrations of both Democrats and Republicans that the President may act without prior congressional authorization when the operation serves important national interests and does not rise to the level of a constitutional war.

Congress has even appropriated counter-narcotics funds, designated the Department of War as the lead counterdrug agency, and a Federal grand jury returned the very indictment this operation enforced.

The Members of this Committee, the Framers designed a Constitution to balance energy in the Executive with accountability through Congress. These operations honor that design. The capture of Maduro executed a Federal warrant against a man no free Nation recognizes as legitimate.

Here are some brief facts.

Maduro is a narcoterrorist who helped lead the so-called Cartel of the Suns. He advanced largescale drug trafficking. He armed an

illegitimate militia, solicited arms for a terrorist organization, and presided over unfree and unfair elections.

This administration's actions were targeted, limited, and constitutionally grounded in over two centuries of executive practice.

Thank you, and I look forward to your questions.

[The prepared statement of Ms. D'Andrea follows:]

Testimony of Gina D'Andrea

Mr. Chairman, Madam Ranking Member, and distinguished Members of the Committee, thank you for the opportunity to testify. My name is Gina D'Andrea, and I serve as General Counsel of the America First Policy Institute. I am here to address the legal bases for the president's authority to take military action to protect the American people from external threats, specifically with respect to recent actions involving Venezuela. As I will explain, the president's authority to take military action in such situations rests on long-accepted constitutional grounds and has, in fact, been exercised by various presidents dating back to the Founding Fathers.

First, I'd like to give a brief recap of what is going on in America's own backyard. Evidence shows that the United States is confronting a narco-terrorist network that operates within the Venezuelan government itself. First under Hugo Chavez, and now Nicolas Maduro, [Venezuela has served as a hub for extra-hemispheric actors](#) who are hostile to the United States and has enabled them to traffic drugs and criminals into our homeland. This includes China, Russia, and perhaps now most notably, Iran.

[Maduro was indicted](#) by a federal grand jury in the Southern District of New York on charges of narco-terrorism and conspiracy to import cocaine into the United States. Neither the United States, under both the Biden and Trump Administrations, nor the European Union recognizes him as a legitimate head of state. In fact, under the prevailing norms of customary international law, even the United Nations would be hard-pressed to recognize Maduro's legitimacy: Maduro lost the 2024 presidential election, refused to cede power, and no principle of international recognition, whether grounded in effective control or democratic legitimacy, can sustain a claim to lawful governance by a leader who holds office in defiance of his own electorate. (*See, e.g.,* U.N. Doc. S/1466 (Mar. 9, 1950); Murphy, *Democratic Legitimacy and the Recognition of States and Governments*, 48 I.C.L.Q. 545, 566-79 (1999).) He has been named by the Department of State as the official [leader the Cartel de los Soles](#) and has used his power to weaponize an illegitimate militia to traffic narcotics into American communities on an industrial scale. He is also alleged to have worked against the United States interests with Iran, including potentially aiding Iranians in entering the United States under the illegal CHNV parole program that operated during the Biden Administration.

The evidence is clear. This is not a foreign policy dispute. This is the protection of the American people and the enforcement of American criminal law.

To start, the authority of the President under Article II of the U.S. Constitution is sufficient to support action to address these threats from America's neighbors. As Commander-in-Chief, the president bears the primary responsibility, and truthfully, obligation, to protect the American people and ensure national security. This authority to address external threats before they reach the homeland has bipartisan recognition dating back to the founding fathers.

The Administration's [Executive Order](#) designating the cartel networks as foreign terror organizations recognizes that these are not ordinary criminals and are instead paramilitary entities that pose a direct threat to the United States. This designation bolsters the President's authority to take action in defense of the American people.

In the face of narco-terrorists operating as a foreign government and funneling dangerous drugs and criminals into U.S. territory, the President has both the authority and the duty to take action and protect America from her enemies.

Turn first to the strikes on narcotrafficker vessels. Congress itself designated the Department of War as the lead federal agency for detecting and monitoring the maritime transit of illegal drugs into the United States. (10 U.S.C. § 124). Consonantly, the Maritime Drug Law Enforcement Act vests federal jurisdiction over drug trafficking aboard vessels on the high seas. (46 U.S.C. §§ 70501-70507). The strikes were carried out as a result of evidence showing such drug trafficking was taking place. More to the point, the Commander in Chief power has always been understood to encompass the authority to direct military operations against threats to national security. (U.S. Const. art. II, § 2; The Prize Cases, 67 U.S. 635 (1863)). Striking vessels that evidence shows serve as instrumentalities of narco-terrorism is a lawful exercise of that power.

Turn next to the capture of Maduro. Operation Absolute Resolve was not an act of war. It was a targeted law enforcement operation to execute a federal arrest warrant. And it was not the first time that the United States has engaged in such an operation. In 1989, the United States deployed military forces to apprehend General Noriega, a sitting leader

indicted on federal drug-trafficking charges. The courts upheld jurisdiction and rejected his claim of head-of-state immunity. (*United States v. Noriega*, 746 F. Supp. 1506 (S.D. Fla. 1990), *aff'd*, 117 F.3d 1206 (11th Cir. 1997)). Importantly, the Supreme Court has long held that the manner of a defendant's apprehension does not divest a court of jurisdiction to try him. (*Ker v. Illinois*, 119 U.S. 436 (1886); *United States v. Alvarez-Machain*, 504 U.S. 655 (1992)). Perhaps most relevant is that Maduro, like Noriega, enjoys no sovereign immunity because the United States does not recognize him as a legitimate head of state.

Both operations draw further support from the President's constitutional authority over foreign affairs. The Executive stands as the Nation's sole organ in international relations. (*United States v. Curtiss-Wright Export Corp.*, 299 U.S. 304 (1936)). The President holds the exclusive power to recognize or refuse to recognize foreign governments. (*Zivotofsky v. Kerry*, 576 U.S. 1 (2015)). Success in foreign relations demands one national voice, and the constitution is clear that the Executive alone carries it. When the evidence showed the President that an indicted narco-terrorist commanding no legitimate authority posed a continuing threat to the American people, he acted squarely within his constitutional power to counteract that threat.

The War Powers Resolution does not foreclose these actions. It expressly preserves the President's independent Article II authority. (50 U.S.C. §§ 1541-1548.) The Administration complied with its procedural requirements. The Office of Legal Counsel has maintained, across administrations of both parties, that the President may act without prior congressional authorization when the operation serves important national interests and does not rise to a constitutional war.¹ Consonantly, the Supreme Court has recognized that the President retains the authority to act where Congress has imposed no prohibition. (*Youngstown Sheet & Tube Co. v. Sawyer*, 343 U.S. 579, 635-38 (1952) (Jackson, J., concurring)). Congress has not prohibited these actions. To the contrary, Congress appropriated counter-narcotics funds, designated the Department of War as the lead counter-drug agency, and a federal grand jury returned the very indictment this operation enforced.

¹ See also Proposed Deployment of United States Armed Forces into Bosnia, 19 Op. O.L.C. 327 (1995), https://www.justice.gov/d9/olc/opinions/1995/11/31/op-olc-v019-p0327_0.pdf.

Members of this Committee, the Framers designed a Constitution that balances energy in the Executive with accountability through the Legislature. These operations honored that design. The strikes on narcotrafficker vessels enforced congressionally authorized counter-narcotics authorities under the Commander in Chief's operational direction. The capture of Maduro executed a federal warrant against a man no free nation recognizes as legitimate. Both were targeted, both were limited, and both were grounded in the text of our Constitution and over two centuries of Executive practice.

Thank you, and I look forward to your questions.

Mr. VAN DREW. Thank you, Ms. D'Andrea. Mr. Padden, you may begin.

STATEMENT OF THOMAS PADDEN

Mr. PADDEN. Chair Van Drew, Ranking Member Crockett, Ranking Member Raskin, and the Members of the Committee, thank you for the opportunity to speak with you here today.

Last September, I retired after 47 years of combined military and Federal civilian service when the administration eliminated the Organized Crime Drug Enforcement Task Force's component of the Department of Justice.

I served as the Deputy Director and Acting Director of OCDETF, as it's known, for the last 17 years of my career. I served under ten Attorneys General, five Presidents, and nine administrations.

Over the past five decades, each administration, both Republican and Democrat, made improvements to our ability to focus and coordinate our efforts and resources against drug trafficking threats.

The counterdrug mission is nonpartisan, and administrations from both parties were dedicated to increasing the depth and breadth of our Nation's capabilities.

Unfortunately, that is not the case today, and Americans are less safe than we were 15 months ago.

This administration eliminated organizations and capabilities integral to the counterdrug mission, and it reduced or diverted mission focused staffing and resources in this critically important space.

It replaced lawful investigations with military targeting of suspected drug traffickers and pardoned at least one convicted drug trafficker, who is also a corrupt foreign leader.

I served for 12 years as a commissioned Marine Corps officer before joining the Department of Justice. At DOJ, I conducted task force investigations and prosecutions of Mexican and South American drug trafficking networks.

After leading the Criminal Division's Narcotic and Dangerous Drug Section, I became the Deputy Director of OCDETF.

Established in 1982, OCDETF was the largest and most successful anticrime task force in the Nation, and it was the centerpiece of the Attorney General's strategy to reduce the supply of illicit and dangerous drugs.

Our mission was to dismantle and disrupt transnational criminal networks through fulsome enterprise investigations.

The OCDETF received bipartisan support for over four decades. Before it was eliminated at the end of last year, OCDETF had national reach with thousands of prosecutor-led, case-specific, multi-agency task forces operating across the Nation in every Federal judicial district.

In its 43-year history, OCDETF task forces dismantled or significantly disrupted over 21,000 criminal organizations, seized \$13.4 billion in cash and property and over 870,000 weapons. OCDETF prosecutions convicted over 321,000 defendants.

It was OCDETF task forces that conducted the investigations and brought the drug trafficking indictments of two corrupt foreign politicians.

Through our work, former President Juan Orlando Hernandez of Honduras was convicted at trial, only to be later pardoned by President Trump.

Through our work, former President Nicolas Maduro of Venezuela was indicted on drug charges in New York.

Despite these successes, the administration dismantled OCDETF last year.

OCDETF's Fusion Center was a unique operational intelligence center that brought together case information and intelligence from a wide range of agencies to help the task forces in the field better illuminate criminal networks so they could better coordinate their efforts to dismantle them.

With more than 670 million records, the Fusion Center's holdings represented the Nation's largest repository of Federal law enforcement investigative reporting and financial data. With the elimination of OCDETF, the future of this capability is in jeopardy.

I served in the White House during the first Trump Administration. In that role, I was the senior advisor to the Drug Czar on drug interdiction matters, and I drafted congressionally mandated plans and strategies.

The current administration's approach to maritime drug smuggling is ineffective. Sinking boats and killing the crews and sending the evidence to the bottom of the sea is not an effective attack on drug cartels.

Interdictions that seize physical evidence and arrest mariners allow law enforcement to expand their investigations and identify additional coconspirators. Electronic devices can be searched, and mariners can be interrogated, and that additional information can be exploited.

A reason claimed for taking these actions was to stem the flow of fentanyl to the U.S. However, there's no evidence that they result in fentanyl seizures.

Fentanyl arrives in the U.S. predominantly across the U.S.-Mexico border. South American maritime drug shipments are dominantly cocaine, and those boats departing from the North coast of Venezuela are primarily headed to markets in North Africa and Europe. Sinking those boats has no effect on the U.S. drug supply.

Military strikes are not an effective first solution to drug enforcement. Most importantly, preemptively killing mariners, even those suspected of smuggling drugs, is a violation of U.S. and international law.

Despite the rhetoric that the elimination of drug cartels is a national priority, administration actions indicate that the opposite is true.

The administration can change direction and reestablish the capabilities, staffing, and structure necessary to be effective in dismantling these cartels. Until it does, Americans will be less safe.

Thank you, and I look forward to your questions.

[The prepared statement of Mr. Padden follows:]

Thomas W. Padden
Written Testimony
House Judiciary Committee
Oversight Subcommittee
March 18, 2026

INTRODUCTION

Chairman Jordan, Ranking Member Raskin, Chairman Van Drew, Ranking Member Crockett, and Members of the Subcommittee, thank you for the opportunity to speak with you today.

At the end of last September, I retired from federal service after 47 years of combined military and federal civilian service when the Administration eliminated the Organized Crime Drug Enforcement Task Forces component of the Department of Justice. I first took the oath to support and defend the Constitution of the United States when I entered the U.S. Naval Academy in the Carter Administration. Upon graduation from the Naval Academy, I was commissioned as an officer in the U.S. Marine Corps, and deployed with infantry battalions to Beirut, Lebanon, and to the Western Pacific. While on active duty, I graduated from law school and served one tour as a Judge Advocate at Marine Corps Base, Quantico. During my tour as a Judge Advocate, in addition to serving as the Military Justice Officer, I served as a Special Assistant U.S. Attorney in the Eastern District of Virginia prosecuting federal cases in U.S. District Court.

As a career federal prosecutor for over 30 years, I served under five presidents in nine administrations, and ten attorneys general. It was a privilege to work with agents, analysts, paralegals and other staff throughout the Executive Branch to keep Americans safe from the threats posed by international criminal enterprises. It takes an effective and organized network of multi-disciplined professionals to expose and defeat these large, complex criminal organizations. Over more than five decades, each Administration, both Republican and Democrat, made improvements to our ability to focus and coordinate our efforts and resources against the threats posed by criminal network threats. The counter-drug mission is non-partisan, and Administrations from both parties were dedicated to increasing the depth and breadth of our Nation's capabilities.

Unfortunately, that is not the case today. Over the past 15 months, this Administration eliminated organizations and capabilities integral to the counter-drug mission, and it reduced or diverted mission-focused staffing and resources in this critically important space. This Administration replaced lawful investigations with extrajudicial military targeting of suspected drug traffickers, and pardoned at least one convicted drug trafficker who was also a corrupt foreign leader.

Rebuilding the capabilities that have been lost will take time, and that process should begin now. Until we do so, Americans are measurably less safe from these threats today than we were 15 months ago.

BACKGROUND

My comments based upon 33 years of experience as a federal prosecutor serving the counter-drug and counter transnational organized crime missions. After serving as a line prosecutor in two U.S. Attorney's offices and the Criminal Division's Narcotic and Dangerous Drug Section (NDDS), my career focused upon the coordination of multi-agency, multi-jurisdiction drug trafficking investigations and the development and sharing of intelligence among and between federal law enforcement agencies and other agencies within the Executive Branch.

I served as a prosecutor-coordinator and Deputy Chief at the multi-agency Special Operations Division (SOD) and, later, as the Deputy Chief for Litigation at NDDS leading the Bilateral Case Initiative that targeted elements of major South American and Mexican drug cartels. Before leaving NDDS, I was elevated to the Senior Executive Service (SES) serving as the Section's Principal Deputy Chief and Acting Chief. In leadership at NDDS, I oversaw litigating prosecutors conducting complex investigations of priority drug trafficking organizations, coordinating attorneys at SOD, attorneys who represented the Department in the Maritime Operational Threat Response process when drugs were interdicted on the high seas, attorneys who crafted policy documents and draft legislation, and attorneys working on classified programs to develop and share information and to properly support drug investigations.

Following my service at NDDS, I was assigned to the National Drug Intelligence Center (NDIC), where I served as the Assistant Director leading the Intelligence Division and as the Deputy Director of NDIC. From 1992 to 2012, NDIC was the nation's strategic drug intelligence center working with the Intelligence Community, regulatory agencies, and federal and state law enforcement to develop national and regional drug threat assessments. NDIC also provided tactical level intelligence support to drug investigations and task forces through its Document and Media Exploitation (DOMEX) Teams. During my time at NDIC, we expanded the DOMEX Program to provide dedicated teams at prosecutor-led, multi-agency strike forces under the Organized Crime Drug Enforcement Task Forces (OCDETF) Program.

ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCES (OCDETF)

My final 17 years of federal service were as the Deputy Director and Acting Director of the Organized Crime Drug Enforcement Task Forces (OCDETF). Established in 1982, OCDETF was the largest and most successful anti-crime task force in the nation. It served as the centerpiece of the Attorney General's strategy to reduce the supply of illicit and dangerous drugs, receiving bipartisan support for over four decades. OCDETF's mission was to dismantle and disrupt organized crime and drug trafficking networks by conducting complete criminal enterprise investigations that included focus on illicit financial activities. As a component head within the DOJ, the OCDETF Director reported directly to the Deputy Attorney General. Before it was eliminated by this Administration at the end of last year, OCDETF had national reach with thousands of prosecutor-led, case-specific, multi-agency task forces operating across the nation in every federal judicial district. It was the only task force of its kind, merging state and federal

investigators with prosecutors expert in targeting complex international conspiracies, and bringing the strengths of the Departments of Justice, Homeland Security, Treasury, State, Labor, and Defense together under a single joint governance system.

In addition to the 5,000 case-specific task forces, and in partnership with U.S. Attorneys' offices, OCDETF built Strike Forces in nineteen locations that were brick-and-mortar organizations with assigned agency personnel and Assistant United States Attorneys working together on a daily basis. These Strike Forces targeted drug cartel leadership, violent gangs, human smuggling and human trafficking networks, and maritime drug smuggling organizations. The OCDETF Strike Forces in Tampa, Florida, in San Juan, Puerto Rico, and in San Diego, California provided significant support in building effective cases against transnational criminal organizations involved in maritime smuggling.

At OCDETF, I led a team of senior prosecutors, agents, and other multi-disciplinary professionals in coordinating and resourcing nation-wide efforts targeting drug and organized crime networks. As OCDETF Director, I led the Attorney General's Consolidate Priority Organization Target (CPOT) process, a multi-department, multi-agency priority targeting process that designated those criminal organizations presenting the most significant drug and organized crime threats to our nation. Examples of CPOT-listed organizations include those led by Joaquin Guzman (aka El Chapo) and Nemesio Oseguera Cervantes (aka, El Mencho).

My OCDETF responsibilities also included oversight of our intelligence and information sharing efforts. The prosecutor-led governance of OCDETF served as the foundation for the establishment of the OCDETF Fusion Center (OFC), an operational intelligence center that brought together case information and intelligence from a wide range of agencies. With more than 670 million records at the time of OCDETF's termination, the Fusion Center's holdings represented the nation's largest repository of federal law enforcement and foreign investigative reporting, including financial data and Bank Secrecy Act information. The OFC was a unique capability that helped task forces in the field identify and illuminate criminal networks and better coordinate their efforts to dismantle them. In the year prior to OCDETF's dismantling, the Fusion Center produced over 40,000 investigative leads to the field. The future of this capability is uncertain, and it is threatened by the elimination of the foundational role of prosecutorial oversight of the sharing process – a process that was endorsed by all OCDETF partner agencies and Attorneys General of both parties over two decades.

In its 43-year history, OCDETF task forces conducted more than 37,200 investigations of criminal networks, and dismantled or significantly disrupted over 21,100 of them. OCDETF investigations led to the conviction of over 321,000 defendants, the seizure of \$13.4 billion in cash and property, and the seizure of over 870,000 weapons. It was the largest and most successful law enforcement task force in the nation. Despite this success, this Administration eliminated OCDETF and dismantled it in less than a year.

MARITIME INTERDICTIONS

My service in senior leadership of OCDETF was interrupted from April 2019 through March 2020, when I was called by the first Trump Administration to serve on detail to the Executive Office of the President, Office of National Drug Control Policy (ONDCP), as the U.S. Interdiction Coordinator (USIC). The USIC serves as the senior advisor to the Drug Czar on all drug interdiction matters, including maritime interdictions. During my time as USIC, I worked closely with all of our interdiction agencies, including the U.S. Coast Guard.

In drafting of the Congressionally mandated National Interdiction Command and Control Plan (NICCP) and the various border interdiction strategies, the sharing the evidence developed from investigations of maritime interdictions was a key element. While seizing drugs is important, drug seizures are not the only tool in dismantling trafficking networks. Interdictions play an important role in supporting and developing additional evidence that is vital to feeding a comprehensive, nation-wide, counter-drug strategy.

The Administration's current posture on maritime drug smuggling fails to serve the mission to eliminate, defeat, and degrade maritime smuggling organizations. Preemptively sinking boats, killing the crews, and sending the evidence to the bottom of the sea is far less effective in the attack on drug cartels than is the seizure of evidence and the arrest of conspirators who invariably have important evidence to be exploited by the United States. Arrested mariners can be interviewed for further information, and their electronic devices can be searched and exploited. Put simply, ZERO additional knowledge can be gleaned if the crewmen are dead and physical evidence is lost to the ocean.

The Administration claims to have taken these kinetic actions on the high-seas to stem the flow of fentanyl to the United States. However, there is no evidence that any maritime interdictions have resulted in fentanyl seizures, or that the kinetic military strikes have stopped fentanyl shipments. Fentanyl arrives in the U.S. predominantly from Mexico, and almost exclusively across the U.S. – Mexico land border. Maritime drug shipments from South America are dominated by cocaine. Additionally, the overwhelming majority of drug boats departing the north coast of Venezuela are headed to cocaine markets in North Africa and Europe. There is absolutely no evidence indicating that sinking suspected drug boats have prevented more cocaine or fentanyl from reaching the United States than the traditional interdiction, arrest, and seizure process employed historically. What is clear is that by killing the mariners on the delivery boats, we lose any opportunity to exploit them, their boats, and their electronics for more information to tackle trafficking groups.

Most importantly, the extrajudicial, preemptive killing of mariners – even those suspected of smuggling drugs, is a violation of international and U.S. law.

PROSECUTORIAL COORDINATION AND OVERSIGHT OF THE MISSION

I believe that coordinating supporting efforts between the law enforcement, military, and intelligence communities is appropriate and necessary. The military and intelligence communities play an important, but supporting, role in the enforcement of criminal law. Military strikes are not an effective first solution to drug enforcement.

Federal law enforcement's mission must be coordinated and led by the Attorney General, the nation's chief law enforcement officer. After OCDETF was terminated, the Administration established the Homeland Security Task Force (HSTF) under the umbrella of DHS to focus effort upon immigration enforcement and, in part, to attempt to service the OCDETF mission. However, the requirements for conducting joint criminal enterprise investigations was removed and the mandate that prosecutors serve as coordinators and integrators was eliminated. Without prosecutorial oversight, information sharing between law enforcement, the Intelligence Community, and the military is unclear and the potential for mismanagement of the process is increased.

The Reagan Administration understood the importance of the Attorney General's role as the chief federal law enforcement officer, and it established OCDETF to overcome the stovepipes that exist between federal law enforcement and Executive Branch agencies. Combatting drug trafficking and transnational organized crime networks is a joint mission that requires the coordination of the efforts and authorities of dozens of law enforcement agencies. No single federal law enforcement agency has the authority to investigate the entire Criminal Code. However, federal prosecutors do have the authority to investigate and prosecute all federal criminal offenses. Accordingly, law enforcement agencies regularly share information with prosecutors that they do not necessarily share with each other. Thus, the importance of the role of the prosecutor as coordinator.

The OCDETF strategy, developed over four decades, empowered prosecutors, under the authority of the Attorney General, to coordinate the efforts of the dozens of federal law enforcement agencies involved in the organized crime, counter-drug mission. The OCDETF strategy was resourced through its stand-alone appropriations and was empowered to direct those resources across departments and agencies to address gaps and ensure a better-resourced, nationally-focused, mission.

President Reagan also authorized the inclusion of Department of Defense (DOD) capabilities as part of the OCDETF mission. For years, this construct was successfully employed by OCDETF through the multi-agency partnership at OCDETF's Panama Express (PANEX) Strike Force in Tampa, Florida.

UNDERMINING THE MISSION

Since Inauguration Day last year, the Administration has consistently undermined its stated goal of eliminating drug cartels. In addition to removing and diverting resources from the counter-drug mission, it is sending the message that convicted drug traffickers may be rewarded with a presidential pardon. The Administration now employs less-effective methods to defeat criminal organizations, and it is sending the message that even convicted drug traffickers will go free in the end.

The recent presidential pardon of Juan Orlando Hernandez, the former corrupt President of Honduras who was extradited to the United States and convicted of drug trafficking and weapons offenses exemplifies this contradiction. The pardon released Hernandez from prison and sent a morale-crushing message to the agents, prosecutors, analysts, paralegals, and other staff who tirelessly worked to gather the evidence and charge, extradite, and prosecute him.

CONCLUSION

Americans are less safe today than we were 15 months ago. Despite the Administration's rhetoric that the elimination of drug cartels is a national priority, its actions indicate that the opposite is true. They eliminate the largest, most successful joint task force in the nation. Simultaneously, the counter-drug mission is under-resourced and many of the long-standing law enforcement capabilities have been terminated. Military actions against suspected drug boats are unlawful and do not further the collection of evidence or assist in the exploitation and investigation of criminal networks that threaten the U.S. Of concern, drug prosecutions dropped significantly in 2025.

The Administration can change direction and reestablish the capabilities, staffing, resources, coordination, and oversight necessary to effectively combat drug cartels and transnational criminal networks. It can allow convicted drug traffickers to serve their full sentences. It can be more effective without violating the law. Until it does, Americans will be less safe.

Mr. VAN DREW. Thank you, Mr. Padden.

We'll now proceed with questions, and the five-minute rule will be in effect. I guess we are going to start with the gentleman from Georgia.

That's you. You're from Georgia, right?

Mr. JOHNSON. I think I know who I am, Mr. Chair.

Mr. VAN DREW. I always like to bring levity, Hank. You looked surprised. I don't know if they warned you.

Mr. JOHNSON. Well, I thought you were going to go first. Your side gets to go.

Mr. VAN DREW. No, I'm tricky, man. You never know what I'm going to do.

Mr. JOHNSON. I'm always ready, though.

Mr. VAN DREW. I know you are.

Mr. JOHNSON. Tell me, Mr. Camargo, on what facts do you conclude that President Maduro was a drug dealer?

Mr. CAMARGO. Federal indictments, the testimony—

Mr. JOHNSON. Well, an indictment is not proof. That's just an allegation.

Mr. CAMARGO. Sure, but—

Mr. JOHNSON. What other facts do you have?

Mr. CAMARGO. We have the reports from the DEA. We also have testimonies from people—

Mr. JOHNSON. What reports are from the DEA?

Mr. CAMARGO. The DEA reported that the Cartel de los Soles, Cartel of the Suns, was operating in Venezuela and—

Mr. JOHNSON. How do you connect that to Nicolas Maduro?

Mr. CAMARGO. It's an actual totalitarian regime where he controls every single thing in the country.

Mr. JOHNSON. What you're doing is, you're coming in here spouting off conclusions that you've heard which fit a nice little narrative that you are here—

Mr. CAMARGO. No You know who Hugo "El Pollo" Carvajal is?

Mr. JOHNSON. I'm going to move on, Mr. Camargo.

Mr. CAMARGO. Sure, of course.

Mr. JOHNSON. Ms. D'Andrea, what organization that is the America First Policy Institute?

Ms. D'ANDREA. That's correct, sir.

Mr. JOHNSON. Isn't that the organization founded by the notorious racist Stephen Miller? Yes or no?

Ms. D'ANDREA. No.

Mr. JOHNSON. That's not the one founded—

Ms. D'ANDREA. No, it's actually—

Mr. JOHNSON. Oh, so you're not connected to Stephen Miller?

Ms. D'ANDREA. We are not officially connected to Stephen Miller.

Mr. JOHNSON. OK. Well, I'm glad to know that.

Ms. D'ANDREA. OK.

Mr. JOHNSON. I'm glad to know that. I was hoping that you were not the same organization.

Let me ask you, Professor Blackman, now, the United States used its awesome military power to go into Venezuela and extract President Maduro and then lodged him in a jail up in New York to await trial, correct?

Mr. BLACKMAN. Uh-huh.

Mr. JOHNSON. Now, you do agree, Professor Blackman, that the United States is bound to the treaties that it signs with other Nations and which are ratified by Congress, correct?

Mr. BLACKMAN. Yes.

Mr. JOHNSON. The U.N. Charter is a treaty that was ratified by Congress in 1945. Is that correct?

Mr. BLACKMAN. Yes.

Mr. JOHNSON. The U.N. Charter provides that States must, quote, "refrain in their international relations from the . . . use of force against the territorial integrity or political independence of any State."

Mr. BLACKMAN. Uh-huh.

Mr. JOHNSON. Professor Blackman, do you contend that the capture and kidnapping of Venezuelan President Nicolas Maduro was not a violation of international law?

Mr. BLACKMAN. All right. There's two points. Thank you for the question.

The first is, the Executive Branch has long contended that a treaty unto itself cannot violate the President's inherent constitutional powers.

Mr. JOHNSON. Oh, OK. The President has the ability to contravene any treaties that have been ratified by the U.S. Congress. Is that your opinion?

Mr. BLACKMAN. Well, what the Executive Branch said is that they will not—

Mr. JOHNSON. I'm talking about your opinion.

Mr. BLACKMAN. I think it's actually the case that Congress can—

Mr. JOHNSON. That the President can unilaterally disavow and disobey treaties that have been ratified between this Nation and other Nations and have been ratified by Congress. Is that your statement?

Mr. BLACKMAN. Right. Under the Supremacy Clause of the Constitution treaties are the law of the land, but the President has powers unto himself. The President will always assert broad powers unto himself. The Congress—

Mr. JOHNSON. You're not answering my question.

Mr. BLACKMAN. No, the answer is yes. I think—

Mr. JOHNSON. You think the President—you think the Executive has the power to annul treaties that this Nation is bound to by ratification by Congress?

Mr. BLACKMAN. Where a treaty intrudes on the President's power, and especially where there's no enforcing legislation binding the President—

Mr. JOHNSON. You're talking about creating the same kind of place where Venezuela is, where Maduro did whatever he wanted to do.

That's the kind of place that you escaped from, Mr. Camargo, and it's ironic that you would be here—

Mr. CAMARGO. Can I speak?

Mr. JOHNSON. Well, hold on. It's ironic that you would be here to protest what happened in that country when the same thing is happening in this country. We have constitutional scholars, like Professor Blackman, who are aiding and abetting the slide toward authoritarianism.

Let me ask this last question of Mr. Padden.

Mr. Padden, Juan Orlando Hernandez, convicted of trafficking in 800,000 pounds of cocaine into the United States, he was not extracted by the military. He was turned over by the Honduran Government to the U.S. for trial and prosecution.

Then less than a year into his 40-plus-year sentence he was pardoned by the same President that Ms. D'Andrea is here to defend, I guess, even though he is not even adhering to his own America First policy.

This panel, with your exception, Mr. Padden, is a sham, and this hearing is a sham.

With that, I yield back.

Mr. VAN DREW. I thank the gentleman from Georgia. With that, we will recognize the gentleman from Kansas, Mr. Schmidt.

Mr. SCHMIDT. Thank you, Mr. Chair.

Mr. Padden, I'd like to pick that up.

Did I understand your testimony correctly that the organization you worked for, which is now disbanded or defunded or no longer happening, did you say in your opening testimony that you were responsible for obtaining the indictment of Mr. Maduro?

Mr. PADDEN. I said that OCDETF task forces did the work that led to the indictment of Mr. Maduro. That was an OCDETF task force and the prosecutors, agents, analysts, and so forth were doing OCDETF work.

Mr. SCHMIDT. That was in 2020 it was unsealed?

Mr. PADDEN. Yes, sir.

Mr. SCHMIDT. Was it obtained before that, do you know?

Mr. PADDEN. The indictment was obtained before it was unsealed?

Mr. SCHMIDT. I presume.

Mr. PADDEN. I presume it was, yes, sir.

Mr. SCHMIDT. Yes. Do you know, after the true bill was returned and the indictment was unsealed, was there an arrest warrant issued for Mr. Maduro?

Mr. PADDEN. I personally don't know it, but I would assume it.

Mr. SCHMIDT. Do you know what steps were taken by your organization, or any of these task forces, to actually execute that arrest warrant during the five-years between when it was unsealed and when you left the organization?

Mr. PADDEN. I don't.

Mr. SCHMIDT. Very well.

Professor Blackman, let me ask you then a question on that, because that's puzzled me.

If we had a valid arrest warrant that, as far as I know, was properly issued by a Federal grand jury, a judge ordered Federal agents to take Mr. Maduro into custody, is there an obligation on the part of the Federal Government to at least make some reasonable attempt to execute that order?

Mr. BLACKMAN. Yes. The legal precedent actually involves Manuel Noriega. Back in 1989, the United States seized Noriega from Panama. He was holed up in a diplomatic building.

At the time, William Barr, the future Attorney General, wrote an opinion saying that when you need to execute a valid warrant to

arrest someone for an indictment, you can use military force. In other words, that the force is there to protect.

Imagine we just sent FBI agents in a boat to Caracas and said, “OK, walk into the country and arrest Maduro.” They’d be killed in five seconds.

The purpose of this military force is to protect the FBI agents who were effecting a lawful arrest.

Mr. SCHMIDT. Well, isn’t it right, Professor, that the President has a constitutional obligation to take care that the law be faithfully executed?

Mr. BLACKMAN. Absolutely.

Mr. SCHMIDT. Doesn’t the law authorize the arrest warrant to direct agents to go take Mr. Maduro into custody?

Mr. BLACKMAN. Absolutely. Maduro was indicted in March 2020. There was no action taken over the past six years to get him until Trump started ramping up the force when the second administration began.

Mr. SCHMIDT. You posited the absurdity of Federal civilian law enforcement officers showing up in a boat and saying, “We’re here to get Mr. Maduro.”

Even before that there are processes, there are procedures, there are extradition processes. I actually don’t know if we had, during this time, an extradition treaty in effect with Venezuela.

Is it reasonable to think that those processes where we go to a foreign government and say, “Please hand us the individual indicted,” are going to operate when the individual indicted is the head of the foreign government?

Mr. BLACKMAN. No, especially in this case where the United States disputes the election. Everyone agrees he’s not the legitimate President of Venezuela.

You’re asking someone who’s not really the head of State to surrender himself. It’s not going to happen.

Mr. SCHMIDT. The President made a judgment, which you’ve described here, though not attributing it in this case, that the use of military force was necessary in aid of execution of the lawful warrant that he had a duty to execute. Is that correct?

Mr. BLACKMAN. Yes.

Mr. SCHMIDT. What’s the alternative?

If that is, in fact, correct—I don’t think anybody here is second guessing the President’s judgment or his military advisers’ judgment that it wasn’t going to work to say “pretty please” and it wasn’t going to work to send some FBI agents in a boat.

Therefore, we needed to have a safety bubble provided by the United States military for the law enforcement agents to do what they have been lawfully ordered to do, which is take this defendant into custody. What’s the alternative?

Mr. BLACKMAN. The alternative is to do nothing and just let it—

Mr. SCHMIDT. That’s what we did for five years, isn’t it?

Mr. BLACKMAN. Exactly.

Mr. SCHMIDT. Yes, that’s right. Nobody’s talked about it here, and maybe it’s not applicable, because it only applies as a matter of law when there are no other legal authorities, and here there are plenty of legal authorities the President acted pursuant to. Let’s assume even in that case the interesting arguments on the other side

are wrong. I remember learning of something called the doctrine of necessity, that sometimes it is necessary to do what must be done to carry out the commands of the law. Is that correct?

Mr. BLACKMAN. Yes.

Mr. SCHMIDT. If there was no other alternative here and the President of the United States was under a lawful order to go take this man into custody, what else was he supposed to do?

Mr. BLACKMAN. He had to take some action and he had the authority to do what he did.

Mr. SCHMIDT. If he hadn't, wouldn't he be subject to criticism by folks that don't like him that he had failed his constitutional obligations?

Mr. BLACKMAN. He probably would have been, yes.

Mr. SCHMIDT. Chair, I yield back.

Mr. VAN DREW. I thank the gentleman from Kansas. With that, I will recognize the gentleman from Maryland, Mr. Raskin, the Ranking Member.

Mr. RASKIN. Mr. Chair, thank you very much.

Ms. D'Andrea, I'm moved by some of your political statements. One of the things you said at the end of last year was, if any political figure or party can direct Federal law enforcement against its critics, we no longer live under the rule of law. Do you remember when you wrote that?

Ms. D'ANDREA. Yes, sir.

Mr. RASKIN. Do you reject Donald Trump's very public orders to the Department of Justice and the FBI to investigate and prosecute James Comey, Letitia James, Adam Schiff, and a bunch of other colleagues, including Jason Crow?

Ms. D'ANDREA. I would say if there's reason and there's evidence to investigate those people, then he's absolutely right to call for it. If not, then he doesn't need to call for that.

Mr. RASKIN. You said if any political figure can direct Federal law enforcement against its critics, we no longer live under the rule of law.

Ms. D'ANDREA. There's a difference between someone being critical and someone doing something that violates the rule of law.

Mr. RASKIN. OK. All of it—the reason why all the grand juries refused to render indictments and the reason why a number of prosecutors resigned or were forced out of their positions were because of the obvious point that Donald Trump is attacking them because he perceives them to be political critics or adversaries of his. It would seem to me, just to apply your rule to the facts of the situation, Donald Trump is absolutely taking us outside of the rule of law.

I don't mean to embarrass you in any way, but I liked your statement of principle, and I'm just willing—I'm wondering whether you're willing to interpret it in a completely obvious and objective way.

Ms. D'ANDREA. I would say that my interpretation is objective, and that without having all the facts about each of these individuals and each of the allegations allegedly against them, I can't speak generally to the President's statement. I stick by my original statement—

Mr. RASKIN. OK. If any President, whether it was Maduro or Trump or Oscar Orlando Hernandez, says, I want you to go and investigate and prosecute these 20 political enemies of mine, your position would basically be agnostic, well, let's wait and see what happens in the investigation? Is that right? Doesn't that defeat the whole point of your statement?

Ms. D'ANDREA. Respectfully, that's not right. That's not what I mean. That's not what I intended to say.

Mr. RASKIN. All right. Well, let me ask about another one. I wish we had all day, because you said some interesting things, which I agree with at the level of generality which you stated them. For example, you said that Maduro had refused to cede power, it was in the 2024 election, and you said that it's impossible to sustain the claim that lawful governance by a leader who holds office in defiance of his own electorate.

Well, that really made me think about what happened in 2020. When Donald Trump claimed that he won the election, but the Congress found that he had not won the election, 60 Federal and State courts rejected every claim of electoral fraud and corruption, but not only did he claim that he won it, he continues to claim that he won it, so I hope you repudiate that.

Ms. D'ANDREA. Thank you for the question. I would say that he was—he ceded power. He gave in. President Biden was sworn in and was the President of the United States, so he did not illegally hold on to power in the manner that President Maduro, a legitimate dictator, did.

Mr. RASKIN. Oh, I see. In other words, because the coup didn't work and the violent insurrection didn't succeed in overturning the election, then you think it was all right what he did.

Ms. D'ANDREA. Respectfully, that's not what I said.

Mr. RASKIN. That's what I said, though. In other words, you seem to be saying that because his attempt to destroy Joe Biden's electoral college majority, which he won by more than seven million votes, 306 to 232 in the electoral college, because his efforts to overturn that on the floor of Congress and with a violent insurrection, then he complied with what you were stating as a basic rule of law principle.

Ms. D'ANDREA. Respectfully, sir, there's a difference between asking whether fraud occurred and refusing to cede power once it's been made clear to you that it hasn't.

Mr. RASKIN. Well, what's inciting a violent insurrection against your own government?

Ms. D'ANDREA. I'm not sure I understand what you mean, what—

Mr. RASKIN. Well, you're saying there's one thing about asking a question, for example, going to 60 different Federal and State courts to try to get a ruling, but once you've lost all those, you think it's legitimate within the rule of law and democracy to incite a violent insurrection as Donald Trump was impeached for?

Ms. D'ANDREA. Sir, I appreciate the question. I don't have a clear answer to you about that. I think the evidence—

Mr. RASKIN. OK. Well, we can discuss it later. I thank you for your statement of principles, which are often quite lucid, but I wish

that you would apply them evenhandedly across the board. It might be tough from the job that you're in right now.

I yield back to you, Mr. Chair.

Mr. SCHMIDT. Mr. Chair?

Mr. VAN DREW. Yes.

Mr. SCHMIDT. Would you entertain a unanimous consent request?

Mr. VAN DREW. Without objection.

Mr. SCHMIDT. Mr. Chair, I ask unanimous consent to insert in the record the indictment in the *United States of America v. Nicolás Maduro Moros*, formerly sealed, the superseding indictment. I would ask to insert in the record a document titled, "Rubio: This Is Our Hemisphere and—President Trump Will Not Allow Our Security to be Threatened." I would ask to insert a news report titled, "How cocaine and corruption led to the indictment of Maduro." I would ask to insert another news report titled, "No, Trump's order to snatch Maduro was not illegal nor unconstitutional." I would ask to insert in the record another opinion piece titled, "Yes, Trump's Venezuela Moves Are Legal."

Mr. VAN DREW. Without objection.

Mr. SCHMIDT. Thank you.

Mr. VAN DREW. I recognize the gentleman from Missouri, Dr. Onder.

Mr. ONDER. Thank you, Mr. Chair.

Since his first day returning to office, President Trump made it clear that stopping narcoterrorism would be a top priority, issuing an Executive Order designating drug cartels as foreign terrorist organizations, which elevated the fight against these networks to a national security issue. The commitment culminated in Operation Absolute Resolve in the arrest of Nicolas Maduro.

Under Maduro's regime, Venezuela had become a hub for narco-terrorism, funneling over 200 metric tons of cocaine annually through the Cartel of the Suns. This cartel, deeply intertwined with the Venezuelan Government, has directly contributed to the deaths of over 30,000 Americans annually from cocaine overdoses. Maduro's regime also actively collaborated with foreign adversaries, including Iran and Hezbollah, in ways that threaten the stability and security of the United States.

President Trump acted within his constitutional authority, which is supported by historical precedent. From the capture of Manuel Noriega to targeted strikes on drug smuggling vessels, the President has had both the responsibility and the authority to act against legitimate threats to American safety. The operation was not only compliant with domestic law but also consistent with international norms as the legitimate Venezuelan Government supported Maduro's capture.

Mr. Blackman, can you elaborate on the distinction between a law enforcement operation and an act of war, particularly in the context of Operation Absolute Resolve?

Mr. BLACKMAN. Sure. The real precedent here comes from the Obama administration. If you recall, in 2011 or so, there was a massive bombing campaign against Libya that went on for a very long time and there was an effort to try to stop President Obama, and the Obama Administration said this does not rise to the level of war. These are just hostilities. There are no boots on the ground.

There's no risk of American servicemembers being injured. The Trump Administration basically relied on the Obama precedent.

This is an operation that lasted a few hours. There were no boots on the ground. There was some harm to American servicemembers, which is tragic, but this was not an obvious war. Because there's no war, they said, for example, there was no obligation to comply with the War Powers Resolution, which is a limited hostility to support a law enforcement operation to enforce indicting. Mr. Schmidt had asked me that a few minutes ago.

Mr. ONDER. What would you say to critics who argue that the operation violated international law, particularly the U.N.'s charter on prohibition of use of force?

Mr. BLACKMAN. I appreciate my exchange with Mr. Johnson on this one a few minutes ago. It's true that almost 60 years ago the United States ratified the U.N. Treaty, but the way I've always understood that is when the Congress ratifies a treaty, they don't quietly give away the President's powers. That's not something that's done quietly.

Mr. ONDER. Article II powers.

Mr. BLACKMAN. Yes, they're Article II powers. Congress doesn't cede its sovereignty to foreign nations very often, at least with that express language. When the President interprets Article II, Section 4, of the U.N. Treaty, they say, well, would we assume Congress give away this power? No. He retains this power. I don't think that the Article II of the U.N. Treaty is an obstacle to the President using his constitutional authority.

Mr. ONDER. Thank you.

Ms. D'Andrea, how did the designation of the Cartel of the Suns as a foreign terrorist organization expand the President's authority to act against Maduro?

Ms. D'ANDREA. Thank you, sir. It broadens his ability to take action. It basically says that the State Department makes this designation, and he is now allowed to take whatever action is necessary to combat these cartels.

Mr. ONDER. Can you explain how Maduro's regime fostered U.S. adversaries like Hezbollah and Iran and the threat that posed to American safety?

Ms. D'ANDREA. Absolutely. In addition to the drug trafficking that we've been discussing here today, there's evidence that they have been working very closely with the Iranian regime. You mentioned Hezbollah as well. A lot of this happened in the immigration context, where we had Iranians coming into Venezuela, being given Venezuelan passports, and then being admitted into the United States under the Biden CHNV parole program.

Mr. ONDER. Despicable. One of my colleagues harassed you about Trump inciting a coup or an insurrection. President Trump gave a speech in which he said March peacefully and patriotically and support Members of Congress, and support Members of Congress who are adjudicating the fairness of this election. No matter how many times you say "coup" or how many times you say "insurrection," it doesn't make it so.

Thank you. I yield back, Mr. Chair.

Mr. VAN DREW. I thank the gentleman from Missouri. I recognize the Ranking Member, Ms. Crockett.

Ms. CROCKETT. OK. I don't know where to begin, so I'm going to start with Tupac. We're going to start with the fact that Tupac famously said, for those of you that didn't necessarily listen to rap, "that we've got money for war, but we can't feed the poor." The reason that I bring this up is for two reasons.

(1) To get Maduro, the estimated cost is \$3 billion. I can guarantee you that a lot of Americans would say, yes, there's a valid warrant, and things like that, but for the cost of \$3 billion, let's put our money somewhere else.

(2) Professor, you talked about the fact that if there wasn't a loss of life as it relates to our servicemembers or if this was just kind of quick boots on the ground for a second, then it wasn't war. Just answer this question for me. Would you consider what is taking place currently in the Middle East a war? Because we continue to have our sons and daughters returned in caskets to the United States. That's a yes or no.

Mr. BLACKMAN. No. The analysis for Iran is different.

Ms. CROCKETT. Oh, OK. OK. You agree with me, then? Yes?

Mr. BLACKMAN. I didn't say that.

Ms. CROCKETT. OK. It's a different analysis. I'm just going to go with you agreeing with me, because this is clearly a war and it's unconstitutional. That is the bottom line.

Frankly, as it relates to Venezuela, I think that we still will have some time to determine exactly how bad it is. Because imagine for two seconds that you had fishermen and sailors that were coming from the United States, and Venezuela all of a sudden started bombing our people saying, oh, no, no, no, you're bringing guns. Because let me be clear, America does their fair share of nonsense in other countries. We tend to supply everybody with the guns. We flood this world with guns everywhere, right?

Let's say they said, "you know what, we don't want all those guns going to the gangsters in our communities, so we're just going to start blowing people up." Frankly, legally, that may work for them. You know why? We have a Constitution and not everybody does.

It is offensive to sit here and engage in this conversation, as someone who practiced criminal law, and, my God, everyone that I had, no matter what they were accused of, even if they were accused of capital murder, they were given an opportunity to actually show up in court and face their accusations, not be killed.

The justification, I don't understand why we are trying to make it partisan. It should not be partisan to just go and blow up these boats.

Are you saying, Professor, that you believe that blowing up these boats because somebody believes—you know what? Let me do it this way. Let's say they are drug traffickers. Do you believe that it is constitutional for the United States to blow up people that are accused of being drug traffickers?

Mr. BLACKMAN. It's not exactly a yes or no question. If I could just—

Ms. CROCKETT. All right. Then, I'm going to stop you there, because I only got so much time. Professor, I was really loving on you because you came from South Texas, which is down in Houston, not too far from the University of Houston where I got my law de-

gree, but it is very clear it is unconstitutional for us in the United States.

Let me give y'all another issue that—I don't understand if you all see it the way that I do. There is this little thing called the Epstein files. There's a lot of people that have been found liable, charged, all kinds of stuff, from Prince Andrew and Peter Mandelson, from Norwegian officials, the former prime minister and the former Ambassador, all these different people, right?

Some would argue, especially since there was international trafficking that was taking place, some would argue that our President, whose name is found over and over and over and over in these files, may have engaged in, say, child trafficking, sex trafficking. They may come to that conclusion.

Now, with that being the understanding, if there are other countries that because they believe in actually holding people accountable, OK so they say, you know what? There was some girls from England or wherever, because there were people from different countries and they say we're going to just come and we're going to drop in on America, we're going to bomb America, we're going to kill civilians in America, because you know what? We have a warrant for his arrest, whether it's for the child sex trafficking in the Epstein files, because America doesn't want to do their job, or whether we're talking about violating international law, whether we're talking about going and just randomly killing people. I can tell you that every single one of you that is sticking up for him right now would be screaming from the rooftops. The analysis has to be the same.

I am so offended that I am still paying my doggone student loans for law school, and it seems like none of it matters nowadays, because seemingly what we do is twist the law to justify. The analysis is the same. If you would be outraged if they came and bombed our country to go after him to arrest him, if you're listening—I don't know if people are doing this, but if they decided to do that because of the Epstein files or because of violating international law, you would be against it. We should be against it right now.

Thank you. I'll yield.

Mr. VAN DREW. I thank the gentlelady. That was a lot.

Ms. CROCKETT. Got to bring up Epstein.

Mr. VAN DREW. I'm going to bring this well, I believe I'm going to bring it back, then I do have some questions for you.

First, history has provided us with lessons that this was legal action. We've learned that President Barack Obama, a Democrat, took similar action, and it was found that it was appropriate. People might have disagreed with the action, but that it was legal.

There's no question that drug supplies are down now, that drug use is down, but I would think again, just trying to get the commonsense maybe it's a good thing to try to stop it when we can at the source.

What we do typically is we let it come in, people get very sick, they die, we spend billions of dollars trying to make them whole again. A whole lot of times it doesn't work, and it fails, and we have a permanent destruction of a whole class of people in our country, and it's wrong. If you can stop these—you know what

Americans would think? Jeez, if you can stop them at the borders before they come in, that would be a good thing.

It's also clear that he was indicted years ago, Nicolas Maduro, and we did nothing for 5 years. Why was that? Nobody can give me a good answer for that. It is also clear, I know the gentleman from Georgia brought up and he asked you, Mr. Camargo, how did we think that there was any connection between this illegal president in Venezuela, who usurped authority, who got power by violence, and there was no connection with him in drug cartels? Yes, there was. Everybody agrees with that. Most Democrats agree with that. Republicans agree with it.

Frankly, I love the gentleman from Georgia, I do, he's a nice man, but I don't know where that came from, because that connection is absolutely there.

I guess the last thing that I would say is that we've got to get down to, is it legal? Yes, it is. Is it going to help us stop people from getting sick in our country? It is. Come on, let's talk in real language. I say this all the time, I always like to kid around, I'm a dentist, I'm not an attorney. OK? It gets down to basic stuff, man. Take care of our people. We're killing them. These drugs are killing them. The amount of cocaine that was pushed into this country, to our babies, we've got to stop it any way that we can legally, and it was legal.

I've got some quick questions.

Mr. Camargo, in your testimony, you stated very clearly that Nicolas Maduro was not simply a bad person, by the way, an illegal president, a bastard to be honest with you, an awful, awful man, he's an evil narcoterrorist. I've got a yes or no question for you. Was the Venezuelan Government under Maduro functioning as a criminal enterprise tied to drug trafficking networks, yes or no?

Mr. CAMARGO. Yes, 100 percent.

Mr. VAN DREW. OK. Mr. Camargo, you also testified that 200–250 metric tons of cocaine moved through Venezuela every single year under the protection of these regime officials. Yes or no?

Mr. CAMARGO. Yes.

Mr. VAN DREW. Yes or no, does that make the Maduro regime one of the largest state-enabled drug trafficking operations in the entire Western Hemisphere, yes or no?

Mr. CAMARGO. Yes.

Mr. VAN DREW. OK. Mr. Camargo, you also pointed out that Caracas is about 1,400 miles away from Miami, correct?

Mr. CAMARGO. Yes.

Mr. VAN DREW. To this question, yes or no. If a narcoterrorist regime operates that close to the United States of America, does it pose a direct national security threat to the United States of America and to the American people?

Mr. CAMARGO. Yes.

Mr. VAN DREW. Yes or no? Professor Josh Blackman, I'm sorry, I'm getting too familiar here.

Mr. BLACKMAN. I'm from Staten Island; we're close.

Mr. VAN DREW. You're good. There we go. That's a good thing.

Let me ask a simple question. Is the Western Hemisphere safer when a narcoterrorist regime hides the cartels and hostel foreign powers are removed from power? Are we safer?

Mr. BLACKMAN. I think so.

Mr. VAN DREW. Yes, I definitely think so.

Mr. Padden, I've got the harder questions for you. Yes or no, was Nicolas Maduro indicted by a Federal grand jury in the United States of America for narcoterrorism before this operation occurred?

Mr. PADDEN. He was indicted on other drug charges and weapons charges before the operation. There's been a superseding indictment, I believe, since then.

Mr. VAN DREW. OK. He was indicted then as well, correct?

Mr. PADDEN. Correct.

Mr. VAN DREW. By the way, that's the difference in the Ranking Member, I respect her, but she brought up the fact that it would be just like coming into our country. We keep forgetting he was indicted by our country. The sealed indictment was opened up.

Mr. Padden, you argue that these actions made America less safe, what we've done. I'm going to ask you a hard question. I'm going to ask you to answer it. If the United States had done nothing, as we were doing nothing, and allowed an indicted narcoterrorist running a drug network just 1,400 miles from Florida, moving the kind of drugs in that he was, if he remained in power, would that have made America safer if he remained in power? Yes or no?

Mr. PADDEN. It's too soon to tell whether it would or not, sir.

Mr. VAN DREW. Would that make—just allowing him in power—you're saying that this could make it safer in America?

Mr. PADDEN. I'm not sure we'd be less safe than we currently are if he were still in power.

Mr. VAN DREW. Respectfully, this is where I totally and fundamentally disagree with you. I thank you for your answers, though.

My time is up as well. I will recognize the gentleman, OK. Let me just, before I do that, let me see who is up. Yes. OK. Yes. Without objection.

Mr. RASKIN. Thank you, Mr. Chair.

I just have three articles to submit for the record: "Libyan bombing 'unconstitutional,' Republicans warn Obama," this is from March 22, 2011. "Trump pushes Justice Department to prosecute his political opponents," that's September 21, 2025. "The Ex-President Whom Trump Pardoned Flooded America With Cocaine," that's about Juan Orlando Hernandez from Honduras.

Mr. VAN DREW. Without objection. I recognize the gentleman from Texas, Mr. Gill.

Mr. GILL. Thank you, Mr. Chair, and thank you for holding today's hearing. We certainly appreciate it. Thank you to the witnesses for taking the time to come out here.

I, for one, am certainly thankful that we have a President who is willing and capable of identifying a clear, direct, and narrow strategic interest for the United States and pursuing it aggressively, appropriately and, at times, when necessary, with overwhelming force.

As we know, this was an illegitimate dictatorship in the Western Hemisphere in our own backyard that was destabilizing our region, operating as a hub for some of the most violent and ruthless and

dangerous criminal cartels in the entire world, as well as for other of America's foreign adversaries that were creating migratory pressure that America has a clear and obvious strategic interest in tamping down. I'm glad that we have a President who is looking out for us.

Thank you again to the witnesses for being here. The Government Accountability Office has recognized Venezuela as a major drug transit country and asserts Venezuela was responsible for about 10–13 percent of global cocaine movement. Further, Venezuela hosts multiple transnational gangs, including the foreign terrorist organization designated Tren de Aragua, and especially designated global terrorist organization Cartel de los Soles.

The drug cartels trafficking of fentanyl and other narcotics kill tens of thousands of Americans annually and is, therefore, rightfully considered by the White House as an armed conflict.

Mr. Blackman, I want to start with you. How many drug smuggling vessels would you estimate passed freely over water to the United States before President Trump assumed office?

Mr. BLACKMAN. I have no idea. I'm guessing it's a very large number.

Mr. GILL. Very large number. Thousands, as far as we know, as far as we know. How did you—could you just walk me through how the Maduro regime would aid drug trafficking to the United States?

Mr. BLACKMAN. Well, the allegation is that the Maduro regime basically operated as almost as a coordinate of all these various entities, including Tren de Aragua, and this is basically the predicate of the President's position to impose the boat strikes, and it is closely linked to the position to arrest Maduro.

Mr. GILL. Yep. As we know, President Biden's open border policies allowed millions of people into our country that were totally unvetted from all over the globe to come into our United States and petition for dubious claims for asylum, claims that were dubious at best. Recognizing that kind of opportunity, I think Maduro opened his prisons and expelled thousands of criminals from Venezuela, knowing many of them would make their way to the United States, set up criminal enterprises here rather than there.

Biden's Venezuela temporary protected status designation granted quasilegal status for all Venezuelans, including criminals who make it to the United States. Between March and September 2021 alone, U.S. Border Patrol encountered nearly 47,000 Venezuelans, rising to more than 187,000 in Fiscal Year 2022.

About a million Venezuelans are estimated to be in the United States as of 2026, this year. To put that into perspective, there were about 28 million people living in Venezuela in 2024. That means that a significant portion of their population lives in the United States.

Ms. D'Andrea, thank you again for being here. Were there any foreign State sponsors of terrorism active in Venezuela?

Ms. D'ANDREA. I believe the evidence shows that there was, yes.

Mr. GILL. What geopolitical adversaries were they associated with?

Ms. D'ANDREA. There were Iranians and Hezbollah, I believe.

Mr. GILL. Right. That's right. Do you think that these terrorist groups use Venezuelan trafficker contacts to smuggle themselves or other terrorists into the United States?

Ms. D'ANDREA. Absolutely.

Mr. GILL. Absolutely. That made the United States less safe, you would say, wouldn't it?

Ms. D'ANDREA. Absolutely.

Mr. GILL. I agree, the American people agree as well. Most of them are pretty satisfied that we have a President, again, who is pursuing our interests in our region and doing so aggressively and legally.

With that said, Mr. Chair, I've got a variety of unanimous consent requests.

Mr. VAN DREW. Without objection.

Mr. GILL. First, an article from the *National Review* by John Yoo, "The Trump Administration's Actions in Venezuela Are Constitutional."

An article from *AEI* also by John Yoo, "The Long History of Presidential Discretion."

An article from *CBS News*, "María Corina Machado says Maduro capture will go down in history as the day 'justice defeated tyranny.'"

An article from *FOX News*, "Rubio vows to eliminate Hezbollah, Iran operations from Venezuela after Maduro capture."

A document from *The White House* designating cartels and other organizations as foreign terrorist organizations and specifically designated global terrorists.

Another document from *The White House*, "Designation of international cartels," a fact sheet.

A document from the *Department of the Treasury*, "Treasury Sanctions Venezuelan Cartel Headed by Maduro."

Another article, quote, "Admiral saw alleged drug boat strike survivors as legitimate targets, defense official says."

Mr. VAN DREW. Without objection.

Mr. GILL. That's it. Thank you, Mr. Chair.

Mr. VAN DREW. I thank the gentleman.

Mr. RASKIN. Sorry. I've got one more too, if that's all right.

Mr. VAN DREW. Without objection.

Mr. RASKIN. Thank you kindly, Mr. Chair. This is from *The New York Times*, January 7, 2026, headline, "Maduro Is Gone, but Repression in Venezuela Has Intensified." The sprawling political, security, and intelligence apparatus that propped up Maduro's strongman rule is still in place, and day-to-day life is getting worse.

Mr. VAN DREW. Without objection.

Ms. CROCKETT. I have got a UC.

Mr. VAN DREW. Without objection.

Ms. CROCKETT. This one is from March 2, 2026, "Trump's War on Iran Violates International Law and U.S. Constitution: War Crimes Prosecutor Reed Brody."

I have another one. It's from January 2026. It says, "Maduro is gone, but his regime is intact."

I have another one. This one is from March 16, 2026, "Number of U.S. troops wounded in Iran war surpasses 200 across seven countries."

One more, this one is from December 18, 2025. It says “Appropriators backed a crime-fighting unit. DOJ closed it anyway.”

Mr. VAN DREW. Without objection.

That concludes today’s hearing. I want to thank our witnesses, all of them, for appearing before the Subcommittee today. We do appreciate your time.

Without objection, all members will have five legislative days to submit additional written questions for the witnesses or additional materials for the record.

Without objection, this hearing is adjourned.

[Whereupon, at 3:47 p.m., the Subcommittee was adjourned.]

All materials submitted for the record by Members of the Subcommittee on Oversight can be found at: <https://docs.house.gov/Committee/Calendar/ByEvent.aspx?EventID=119073>.

