

Congressman David N. Cicilline
Opening Statement
House Foreign Affairs Committee Hearing on H.R. 1004
Prohibiting Unauthorized Military Action in Venezuela Act
March 13, 2019

Mr. Chairman, Ranking Member, colleagues on the Committee,

Thank you for giving me the opportunity to speak about my bill, H.R. 1004 the Prohibiting Unauthorized Military Action in Venezuela Act.

I appreciate the Committee's willingness to take on the important issue of executive overreach in military engagement, an issue that is fundamental to the constitutional role of Congress, and on which there is bipartisan agreement that Congress must take a stronger stand in ensuring appropriate consultation and oversight.

As we meet here this morning, the people of Venezuela are suffering in darkness – literally. Millions have been without power for days. We all agree the Maduro regime has destroyed Venezuela's economy, starved its people, and engaged in widespread corruption and repression. We all agree the people of Venezuela deserve a better future, a future they determine. We all believe the Venezuelan people have a right to pick their leaders, a right Maduro has denied his people by refusing to hold free and fair elections.

To be absolutely clear – Nicolas Maduro is a dictator who doesn't care about the Venezuelan people. Maduro's corrupt, kleptocratic regime has left Venezuela's

economy in shambles, its people without food, and its hospitals without basic medicines. Millions have fled this despair and oppression.

The people of Venezuela deserve better. They deserve a democratic future. They deserve to pick their own leaders, which is why I join many of my colleagues in supporting the Venezuelan National Assembly's decision to choose Juan Guaido as the interim president of Venezuela. It is my hope that there will be a diplomatic solution that allows for free and fair elections in the near future, and that I believe U.S. policy should be conducted with this end in mind.

This Administration's rhetoric implying that they are willing to use military force in Venezuela is unfortunate. Not only would military intervention be illegal, it would also come with serious consequences that I fear would not only hurt the Venezuelan people, but also the prospects for democracy. Under the Constitution and War Powers Act, the President may not take unilateral military action and must consult with and receive authorization from Congress.

As Special Representative Elliott Abrams confirmed when he was here testifying before this Committee, the conditions for unilateral Presidential military action have not been met: Congress has not declared war on Venezuela; there is not any existing statutory authorization that would allow for a military intervention in Venezuela; and Venezuela has not attacked the United States, its territories or possessions, or its armed forces.

This is why I introduced this legislation, which would simply prohibit funds from being spent on any unauthorized military engagement in Venezuela. Although the Administration is well aware that they don't have proper authorization to engage in

a military engagement in Venezuela, they have continued the drumbeat of aggressive, saber-rattling rhetoric promoting military intervention as an option. We know from the past that they have not seen the need seek proper congressional approval for military intervention, when they took action against the Assad regime in Syria without proper authorization.

In my view, military action in Venezuela is not an option – not without Congressional authorization.

To be clear, nothing in this bill prevents military action against in Venezuela or anywhere else – it simply prohibits fund to be used for *unauthorized* military action against Maduro. Should the situation in Venezuela pose an imminent threat to American national security, nothing in this bill stops the Administration, or any Administration from seeking authority from Congress for military intervention, per the War Powers Act.

However, without meeting the conditions under the War Powers Act, any U.S. military action with respect to Venezuela would be illegal – and ill-advised. Americans do not want another foreign military engagement, and the Administration has not made any case for intervention in Venezuela.

The United States must continue to work with the Lima Group, Europe, and the international community to use diplomatic and economic tools to pressure Maduro to honor the will of his people. Humanitarian aid must be allowed into the country to aid the suffering Venezuelan people. Congress should do everything in its power to support a peaceful, truly democratic transition of power in Venezuela.

The Constitution gave Congress – not the Executive Branch – the power to determine when the United States goes to war. And it is time we assert our Constitutional duty and send a clear message that without Congressional authorization, this Administration – or any Administration -- cannot take the country to war unilaterally.

I am sensitive to the arguments that my colleagues may make, that the timing is sensitive, we don't want to do anything to seem like we're supporting a dictator. While I appreciate the sincere arguments of my colleagues, I have to say – when will the timing of military intervention not be sensitive? We are eighteen years into war in Afghanistan, sixteen years in Iraq, engaged in various ways in numerous engagements elsewhere, and yet Congress has never found the time to reassert our control over military engagement. It is also important to note that the absence of Congressional action sends its own message. The time for Congress to weigh in is now.

I am thankful to the more than fifty bipartisan co-sponsors, many of them members of this Committee, who are supporting this bill.

Thank you, Chairman Engel and Ranking Member McCaul for holding this important hearing and for considering this piece of legislation. I look forward to the Committee holding a markup and passing this legislation in the near future.