



Operation Absolute Resolve: the Arrest of Maduro

Charges Against Maduro

The Department of Justice [indicted](#) Nicolás Maduro in March 2020 for running a narco-terrorism partnership as leader of the Cartel de los Soles (Cartel of the Suns). The U.S. State Department then [designated](#) the Cartel de los Soles as a Foreign Terrorist Organization (FTO) effective November 24, 2025, noting that “Cartel de los Soles by and with other designated FTOs including Tren de Aragua and the Sinaloa Cartel are responsible for terrorist violence throughout our hemisphere as well as for trafficking drugs into the United States and Europe.”

Operation Absolute Resolve

On January 3, 2026, Venezuelan dictator Nicolás Maduro and his wife Cilia Flores, were taken into custody during Operation Absolute Resolve whereby U.S. military personnel secured the ability for federal law enforcement officers to execute their arrest warrant in Maduro's heavily fortified compound in Caracas, take them into custody, and transport them to the Southern District of New York.

For over a decade under Maduro, Venezuela experienced hyperinflation, starvation, rigged elections, brutal repression, and deep ties to narco-terrorism which caused [seven million](#) Venezuelans to leave their own country. Additionally, Maduro's regime flooded the U.S. with [drugs](#) while cozying up to [adversaries](#) like Russia, China, Cuba, Iran and Hezbollah.

Legal and Constitutional Authority for Operation Absolute Resolve

The Department of Justice's Office of Legal Counsel (OLC) issued a [memo](#) justifying the recent raid to capture Nicolás Maduro arguing that the operation does not rise to the level of war and noting the President “has inherent constitutional power to authorize law enforcement activities,” including “the extraterritorial arrest of fugitives.” Secretary of State Marco Rubio has similarly [said](#) repeatedly that the operation in Venezuela was a law enforcement operation, and that there is no war against Venezuela or its people.

Secretary Rubio [wrote](#) in a letter to the Senate Foreign Relations Committee that "should the President determine that he intends to introduce U.S. Armed Forces into hostilities in major military operations in Venezuela, he would seek congressional authorization in advance (circumstances permitting), consistent with the Constitution of the United States and other legal obligations." Secretary Rubio has also [agreed](#) to appear before the Senate Foreign Relations Committee on January 28, 2026 to testify regarding the operation in Venezuela.

Purpose of Congressional War Powers Resolution Authority

[The War Powers Resolution](#) statute lays out a process whereby Congress could direct the withdrawal of U.S. Armed Forces when such forces are actively engaged in hostilities outside of the United States. According to Section 5(c) of the War Powers Resolution, at any time that United States Armed Forces are engaged in hostilities outside the territory of the United States, its possessions and territories without a declaration of war or specific statutory authorization, such forces shall be removed by the President if the Congress so directs by concurrent resolution.