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January 4, 2016

President Barack Obama  
The White House  
1600 Pennsylvania Avenue  
Washington, DC 20500

Dear Mr. President,

Reports of recent actions undertaken by the Administration of Venezuelan President Nicolás Maduro to reverse the results of important National Assembly elections earlier this month are deeply troubling. I write to urge you and your administration to take immediate steps to ensure that Mr. Maduro's regime is denied the space to obstruct Venezuela's path to democratic order. I believe you can accomplish this with a combination of close monitoring by key international organizations and meaningful, internationally-imposed penalties. This effort will, however, take American leadership, for which there is no substitute.

Following the December 6 election in Venezuela, Secretary of State John Kerry noted that Venezuelan voters had "expressed their overwhelming desire for a change in the direction of their country," and that "dialogue among all parties in Venezuela is necessary to address the social and economic challenges facing the country." The United States, he said, "stands ready to support such a dialogue together with others in the international community." Mr. Maduro has quite obviously ignored this offer.

Though I welcomed the Secretary's remarks, any dialogue, and more importantly, specific action, must focus meaningful and material consequences for Mr. Maduro's failure to comply with, as the Secretary notes, the "overwhelming desire for a change" in Venezuela's direction and leadership. Simply standing ready to support a dialogue will not get us there. Like other authoritarian leaders, Mr. Maduro is not predisposed to negotiation. And those of us who have worked for decades to support Venezuela's beleaguered civil society know well that Mr. Maduro, just like his predecessor and mentor, will not compromise. He's already said as much.

Mr. Maduro's regime is taking steps to undermine any meaningful political transition. Ruling-party figures have suggested that, through a high court stacked with *Chavismo* hard-liners, they will seek to reverse the election of a sufficient number of opposition deputies to deprive a supermajority – and deny a referendum that could otherwise remove Mr. Maduro from office. And through proxies like outgoing National Assembly Speaker Diosdado Cabello, Mr. Maduro has put in place the mechanism for transferring power to an unelected parallel congress that is reportedly already meeting in Venezuela's National Assembly building. When taken with Mr. Maduro's provocative rhetoric and his abusive tactics, these are a few examples of what we can expect to see in the weeks to come – unless we act now.

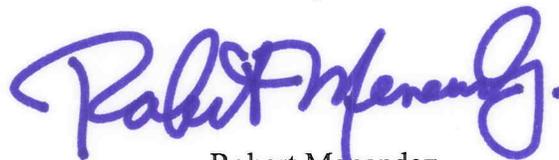
In March 2014, Congress joined me in unanimous consent to pass the Venezuela Defense of Human Rights and Civil Society Act (P.L. 113-278), a bill I designed specifically to give your Administration the range of tools it needs to send a message of tough American resolve in the defense of democracy and human rights in our hemisphere. It is profoundly disappointing that the State Department has not prioritized Mr. Maduro's Venezuela for the national security threat that it is and has not taken full advantage of the tools this legislation provides – particularly the provisions that target smart sanctions against Mr. Maduro's government, security forces, judicial officers, and armed civilian groups involved in violence and abuses against the people of Venezuela. With this in mind, there are several concrete actions I believe your Administration should take:

First, shining light on a shadowy regime like Mr. Maduro's is an important part of the process for holding it accountable. The United States should call on the Organization of American States (OAS) and other legitimate international bodies to monitor the handover of power in Venezuela's National Assembly and the administration of public institutions of governance in accordance with Venezuela's constitution. In this context, leading the OAS to invoke the OAS Democratic Charter would be a meaningful next step. The international community must know when Mr. Maduro's regime has taken steps to undermine the democratic process or the political transition.

Second, the United States should lead the international community in sending a strong message to Mr. Maduro's regime, one that he understands: There will be meaningful and material consequences for failure to accept the results of the election or attempting to rewrite the process. Mr. Maduro's party has lost its mandate and its legitimacy. The United States should state that publicly, unequivocally, and unapologetically. And you should call on leaders in the hemisphere and around the globe to follow our lead: join with progressively tougher sanctions like those Congress has provided you, exclude Mr. Maduro's regime from international fora, and exact other international penalties commensurate with his regime's record of human rights abuses, complicity in narcotics trafficking and organized crime.

For too long, the international community has neglected the growing conditions that could bring Venezuela – a failed state in the waiting – again to the brink of widespread civil unrest. It's only American leadership that will spark the meaningful international reaction that could reverse Venezuela's profound political, economic, and social problems. Let's demonstrate our support for a peaceful democratic transition before it's too late.

Sincerely,



Robert Menendez  
United States Senate