

**NOMINATIONS OF THE 113TH  
CONGRESS—FIRST SESSION**

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**HEARINGS**

BEFORE THE

**COMMITTEE ON FOREIGN RELATIONS  
UNITED STATES SENATE**

**ONE HUNDRED THIRTEENTH CONGRESS**

**FIRST SESSION**

**MAY 7 THROUGH DECEMBER 17, 2013**

Printed for the use of the Committee on Foreign Relations



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**NOMINATIONS OF MORRELL JOHN BERRY,  
DANIEL CLUNE, AND JOSEPH YUN**

**TUESDAY, JULY 23, 2013**

**U.S. SENATE,  
COMMITTEE ON FOREIGN RELATIONS,  
*Washington, DC.***

Hon. Morrell John Berry, of Maryland, to be Ambassador to Australia  
Daniel Clune, of Maryland, to be Ambassador to Laos  
Joseph Yun, of Oregon, to be Ambassador to Malaysia

The committee met, pursuant to notice, at 9 a.m., in room SD-419, Dirksen Senate Office Building, Hon. Benjamin L. Cardin, presiding.

Present: Senators Cardin, Kaine, and Rubio.

**OPENING STATEMENT OF HON. BENJAMIN L. CARDIN,  
U.S. SENATOR FROM MARYLAND**

Senator CARDIN. As I was explaining to our distinguished panel of nominees, there is a Senate Foreign Relations Committee meeting at 10:15 this morning. So we are going to start on time.

I know that Congressman Hoyer will be here, and we will interrupt when my colleague arrives. He has indicated he is probably about 5 to 10 minutes out. So I expect he may be here before I finish my opening comments.

I want to acknowledge Ambassador Beasley, the Ambassador from Australia to the United States. It is a real pleasure to have you in our committee room, and thank you very much for your representation of a close friend and ally of the United States.

Let me also first acknowledge that Senator Corker, I expect, will be by sometime during the hearing.

And I thank Chairman Menendez for allowing me to chair today's hearing. As the subcommittee chair for East Asia and Pacific, I am particularly pleased with the three nominees that are present today: John Berry, the nominee to be Ambassador to Australia; Dan Clune, to be Ambassador to Laos; and Joseph Yun, to be Ambassador to Malaysia, all three critically important countries to the United States.

I deeply respect all three of you, but two of you have the distinct good sense to be Marylanders, and I thank the two Marylanders that are here. Nothing against Oregon, but we do take care of our

own State's people first. So the order of presentation, we will have Mr. Yun go third. [Laughter.]

Let me also just point out that all three of these countries are very important to our rebalance to Asia, President Obama's commitment to focus on the importance of Asia to the United States.

John Berry brings a wealth of experience, OPM leadership, in an extremely challenging time, and we thank you for the work that you have done there, a Deputy Assistant Secretary at Treasury, your environmental record, which is particularly important for Australia and United States, having been involved in the National Fish and Wildlife Foundation and National Zoo director and extraordinary work that you did there, and then surviving working for Congressman Hoyer. If you can survive Congressman Hoyer, you should do very well in Australia. So we welcome you, a personal friend, and I thank you for your continued commitment to public service.

Dan Clune. The good news about Dan, his wife is a Terp. Congressman Hoyer will appreciate that very much. And I am very happy that your son and daughter-in-law are alumni of the University of Maryland Law School. So that also shows good judgment. A career diplomat, Principal Deputy Assistant Secretary for the Bureau of Oceans and Environment and Scientific Affairs, served in the Embassies of Nassau, Lima, Jakarta, and Canberra. So you certainly bring a great experience to this post.

And Joseph Yun, who has been an advisor to me as chair of the Subcommittee on East Asia and the Pacific, helped me prepare for my first visit to that region, testified before our subcommittee on two previous occasions. We are going to miss you tomorrow at the hearing. A career diplomat, acting Assistant Secretary for East Asia and Pacific Affairs, has served in the Embassies of Bangkok, Thailand, Seoul, Paris, and Hong Kong. We are not going to ask you which one you enjoyed the most out of all those assignments. But you bring a wealth of experience.

I particularly want to thank not just the nominees for your willingness to continue in public service but your families. I said it privately, but let me just put it on the record. It is an incredible sacrifice that the families share in the public service that you all have undertaken, and we very much appreciate that and want to acknowledge that. And we welcome the family participation in the responsibilities of your office.

Each of these countries are very important to the rebalanced Asia. Asia is very important to the United States for many reasons: for military reasons, for strategic issues, economic issues, environmental issues. Australia is a strategic ally of the United States. We rely on Australia's cooperation with us on military issues since World War I. A key TPP negotiator, and one of our key environmental partners.

Laos is a member of the ASEAN group, is very important on environmental issues, particularly the Lower Mekong Initiative. We still have the problems of healing the problems of the war. I am particularly concerned about demining unexploded ordnances. It is my understanding about 100 casualties a year, many of whom are children. That should be of great interest to our relationship with Laos. It presents real challenges on human rights, the human traf-

ficking issues, the freedom of expression. So it is a challenging post and a very important post.

Malaysia is a moderate Muslim majority democratic nation, a key partner in ASEAN. It recently entered into with Maryland's Johns Hopkins University School of Medicine in helping to build Malaysia's first fully integrated private medical school. That is certainly a connection that we want to encourage. It is a TPP aspirant, but has challenges, challenges in the rights of its opposition, the freedom of expression, the freedom of the press. These are issues that we will certainly want to hear from the nominees as to how you will represent the United States in advancing all of these goals.

So, again, welcome to the hearing. Your full statements will be made part of the record. You may proceed as you see fit. As soon as Senator Corker or Congressman Hoyer arrives—look at that. Right on cue. I am telling you, he has been waiting outside for this moment. [Laughter.]

But it is always a pleasure to have my friend come over to the Senate side of the Congress and acknowledge that there is the United States Senate and that we do work—

[Laughter.]

Senator CARDIN [continuing]. And that there is a relevancy to the United States Senate. But we very much admire and appreciate Congressman Hoyer's incredible role in not only leadership in our State of Maryland but his national leadership. We are very proud of the bridges that he has built to move forward on issues and bring this Nation and make it stronger. As I have already indicated before, it is an honor for him to be here to introduce to our committee his friend and former staff person, John Berry.

Congressman Hoyer.

**STATEMENT OF HON. STENY HOYER,  
U.S. REPRESENTATIVE FROM MARYLAND**

Mr. HOYER. Well, Mr. Chairman, thank you very much. It is always a privilege to visit with my dear friend. For those who are in audience, I am not objective. Ben Cardin and I went to the General Assembly together in 1966 before many of you were born, and we have served together for all those years in government. Ben Cardin, I think, is one of the finest legislators and human beings with whom I have had the opportunity to work ever. So thank you, Mr. Chairman.

And, Senator Kaine, good to be with you, sir, as well.

Mr. Chairman, we do not have a ranking member here right now, but Senator Kaine, members of the committee, I want to thank you for this opportunity to voice my strong support for John Berry to serve as our next Ambassador to Australia.

I have known John Berry since 1986 when a former staffer of mine called me up and said do you have a vacancy on your staff. And I said, well, not right now. He said, well, you need to fire somebody. [Laughter.]

I said, what do you mean? He said, you need to hire John Berry. He is one of the most extraordinarily talented human beings you are ever going to meet.

Well, it just so happens that somebody you know, Senator Cardin, John Moag, decided to leave just a month later, and I had the opportunity of asking John Berry to come on my staff and he worked from 1985 to 1994.

Throughout that time, John was instrumental in helping me serve the people of Maryland and the people of our country. After leaving my staff, John served in senior executive roles in the Treasury Department, the Smithsonian Institution, the Department of the Interior in the Clinton administration, and served in every one of those positions, as he did with me, with great distinction.

In 2000, he became the director of the National Fish and Wildlife Foundation where he worked diligently, which is an understatement when you refer to John Berry's work ethic, to improve conservation through innovation, public/private partnerships.

His commitment to our Nation's natural wildlife and habitat preservation was recognized further when John was appointed to serve as director of the National Zoo, and how he loved that job and the employees for every institution for whom he has worked, including my office, loved him. He was so successful at turning around the institution that had been faltering, that the zoo named a lion cub after him. I am not sure exactly what the significance of that is. [Laughter.]

But it is a recognition of the affection and respect with which he is held by everybody who has worked with him.

In 2009, President Obama selected John as director of the Office of Personnel Management. He got right to work making improvements in the way we recruit and retain a top notch Federal workforce, something that is important, of course, to all of us but important to every American. As OPM Director, John became one of our Nation's fiercest defenders of public service and the role Federal employees play in keeping our Nation safe and our economy strong. Even in the face of COLA freezes and cuts to the retirement benefits, John made a strong case for Federal employees to be recognized for their hard work with a pay comparable to the private sector. And he has made it a hallmark of his career to make sure that employees no longer face discrimination in the workplace based upon age, race, gender, religion, or sexual orientation. No one with whom I have worked has a greater commitment to individual liberty and fairness and justice than John Berry.

In every position in which he has served, he has elevated that office through his thoughtful approach to management, his natural ability to lead, and his commitment to achieving results.

Senator Kaine, I may have told this to Ben Cardin, but I called up the Secretary of the Interior. There was a vacancy in the Assistant Secretary for Planning, Management, and Budget. And I told him that he needed to hire John Berry, sort of like the guy who called me. I said, and if you hire him, you are going to find him to be the most capable, able, focused, and upbeat person you have ever worked with. And the Secretary said OK, well, yes. I have to touch base with the White House. He was not too enthusiastic, just another Congressman calling him to beat on him about something.

About a year later, he had hired John Berry, and a year later, I saw him in the airport. He came up to me. He said, Steny, you

know that guy you talked to me about, John Berry? I said, of course. You undersold him. [Laughter.]

I could not have been more generous in describing John Berry, and I undersold him according to the Secretary. He was right.

In every position in which he has served, he has elevated that office through his thoughtful approach to management. I already said that. John is someone who leads by example, which is an enormously important quality in someone who will be representing our Nation abroad.

In John Berry, the Australians will see the best of America because they will see a man committed to promoting our values of justice, quality, and opportunity. They will also come to know him as someone dedicated to preserving the earth's natural resources and wildlife, an issue, of course, that like so many Americans, Australians hold dear.

As the administration continues its strategic pivot toward Asia and the Pacific, Australia continues to be an instrumental partner to the United States in both security and trade. Australia remains one of America's closest and most important strategic allies, and our ties are based not only on common interests but on a shared heritage and a history of fighting side by side to defend democracy in two world wars.

I congratulate the Obama administration, for in that context, they have elected to send someone to Australia who the Australians will see as the perfect example of the good American, of the positive American, of the American who shares their values and respects them as a sovereign nation and dear friend. I am confident that John will continue to work to bring our countries even closer as Americans and Australians pursue our shared goals of peace, stability, and economic prosperity.

It says here I am going to urge you to support. I have no doubt that you are going to support John Berry. But I want all of you to know how fortunate America is that we have somebody of John Berry's skill and judgment and personality who has dedicated so much of his life to public service.

Mr. Chairman, I thank you for this opportunity to appear on his behalf.

Senator CARDIN. Well, Congressman Hoyer, thank you for coming over and sharing those thoughts on John Berry.

On OPM, I had the opportunity to sit there and introduce him to the committee. So your observations about my support is very accurate.

You are absolutely right about the upbeat nature. Sometimes it is just not fair.

Mr. HOYER. It drives you crazy, does it not?

Senator CARDIN. It does. [Laughter.]

Mr. HOYER. John, things are bad. Do you not understand? Things are bad. [Laughter.]

Senator CARDIN. Well, I cannot think of a more appropriate ambassadorship than Australia where he will, I think, create the type of relationship between two friends who are leaders on economic and environmental and military issues that will help us in the rebalance to Asia.



So thank you so much for sharing your thoughts with us today. I appreciate it.

Now, Mr. Berry, if you dare, you can now try to follow Mr. Hoyer. [Laughter.]

**STATEMENT OF HON. MORRELL JOHN BERRY, OF MARYLAND,  
TO BE AMBASSADOR TO AUSTRALIA**

Mr. BERRY. Mr. Chairman, thank you so much, and again, thanks to Mr. Hoyer. It is always extremely humbling for his generosity. I never realized, when I started working for him in the 1980s, in the mid-1980s, was that I was also getting a second father, and he has been an amazing force in my life. And I am eternally grateful for his participation in my life.

Mr. Chairman, I am also extremely honored. As you mentioned, Ambassador Beasley is with us today from Australia. Ambassador Beasley is one of the most distinguished statesmen from Australia. I think in American history, you would have to go all the way back to Ben Franklin to find someone of such stature. And I am very honored and humbled that he would be here today.

My brother, Joseph, his wife, Jodi, and their son, Thomas, are here. Both my nephews, James Ramo and Kate London, are here. And my partner of 17 years, Curtis Yee, is here as well, and I am very grateful for the committee's allowing them to join us.

Mr. Chairman, as you know, America is a Pacific nation, and if confirmed, I will be the second generation of Berry's to serve our country in the Pacific. My father served in the First Marine Division at Guadalanal. He then moved on to fight in Papua New Guinea at Cape Gloucester, and then served aboard the USS *Bon Homme Richard* toward the end of World War II. I am named for my uncle, his younger brother, who was a Marine fighter pilot who was shot down and killed in action over Mindanao in the Philippines.

My partner, Curtis Yee, is a fourth generation Chinese American from Hawaii, and his uncle, Hiram Fong, was Hawaii's first United States Senator and America's first Chinese American Senator. And as a result, the President's nomination, for which I am extremely grateful and humbled to serve as a U.S. Ambassador in the Asia-Pacific region, has deep and personal meaning both to my family and to me.

If the Senate confirms me, my overarching goal as Ambassador to Australia will be threefold.

First, I will work to strengthen our alliance with Australia, which has served as an anchor of peace and stability in the Asia-Pacific region for more than 60 years.

America could not ask for a better friend, partner, and ally than Australia. Our relationship is built on a solid foundation of trust. It has been proven under fire and it is steeled by deeply held values. From World War I to the present day, America has not entered any major battle without Australians at our side. Thousands of Australians have made the ultimate sacrifice of laying down their lives.

America is profoundly grateful for Australia's sacrifices in pursuit of our common purposes. But our country is especially grateful that after 9/11 Australia stepped forward to help us counter ter-

rorism in Afghanistan, and we honor the contribution of their nation and most deeply the 40 proud Australians who have given their lives in combat there. And I would ask, Mr. Chairman, if I could, as part of the record to include the 40 names of those Australians.

Senator CARDIN. Without objection, they will be included in the record.

Mr. BERRY. Thank you, Mr. Chairman.

Second, if confirmed, I will endeavor to increase our mutual trade and investment.

The United States has \$136 billion in direct investment in Australia, more than any other country in the Asia-Pacific and twice the value of our investments in China. Our bilateral free trade agreement has already resulted in impressive returns, increasing our trade by 98 percent since 2004 and last year topping \$64 billion. And we are working today on trying to conclude a successful Trans-Pacific Partnership which will open up huge opportunities.

Finally, if confirmed, I will strive to further deepen our cultural, scientific, and conservation cooperation.

The United States and Australia share common objectives, a world that respects human rights and the rule of law, that benefits from transparent, free, fair, and open trade, and that settles our differences peacefully. We share a deep and abiding love of liberty and freedom, and we draw strength from our rich diversity and pride ourselves on providing opportunity or, as Australians say, a "fair go" for all. Our bonds with Australia are truly unbreakable.

At the Australian Parliament House in 2011, President Obama delivered his clarion message on the Asia-Pacific region and the United States commitment there. He stressed that the United States and Australia "alliance continues to be indispensable to our future," and that, "in the Asia-Pacific in the 21st century, the United States of America is all in."

Mr. Chairman, I am honored for the opportunity to appear before you today and happy to answer any questions that you might have.

[The prepared statement of Mr. Berry follows:]

PREPARED STATEMENT OF MORRELL JOHN BERRY

Mr. Chairman and distinguished members of the committee, thank you for the opportunity to appear before you today, it is a great honor. I am deeply grateful to President Obama for his confidence in nominating me to serve as the U.S. Ambassador to Australia. If confirmed, I promise that I will work tirelessly in service to our country.

For the past 4 years, I have had the distinct privilege of serving as the President's Chief People Person as head of the Office of Personnel Management. OPM is a relatively small agency, but it has a broad reach and a tremendously important mission—to recruit, retain, and honor a world-class workforce. In my role at OPM, I traveled throughout the country meeting with students and universities, veterans, employee groups, tribal communities, Fortune 500 companies, affinity groups, and civil servants. Every day, across our government and private sector, I witnessed remarkable innovations and accomplishments. I saw first-hand the dedication and hard work of men and women committed to making our Nation and our world a better place.

Along the way, I was reminded again and again of the tremendous diversity of our great country, building lasting relationships with fellow Americans from all backgrounds as we worked together to address shared challenges. If confirmed, I will carry with me these many voices of America, along with a profound commitment to strengthening the shared values that lie at the heart of our strategic relationship with Australia.

America is a Pacific nation, and, if confirmed, I would be the second generation of Berrys to serve our country in the Pacific. My father, Morrell Berry, fought in the First Marine Division at Guadalcanal, at Cape Gloucester in Papua New Guinea, and as a Marine gunnery sergeant aboard the USS *Bon Homme Richard*. My uncle Jack, for whom I am named, served as a U.S. Marine fighter pilot during World War II and was killed in action over the Philippines. My partner, Curtis Yee, is a fourth generation Chinese American from Hawaii, and his uncle Hiram Fong was Hawaii's first U.S. Senator and the first Chinese American Senator. As a result, the nomination to serve as a U.S. Ambassador in the Asia-Pacific region has deep meaning to my family and to me.

As proud as America's past has been in the Pacific, our future promises only to be brighter. President Obama and both Secretaries Clinton and Kerry have made clear that America will remain fully engaged in the Asia-Pacific region in the 21st century, using our alliances for mutual good. Without question, one of the United States greatest alliances is with Australia.

If confirmed, my overarching goals as Ambassador to Australia are threefold.

First, I will work to strengthen our strategic alliance with Australia, which has served as an anchor of peace and stability in the Asia-Pacific region and the world for more than 60 years.

America could not ask for a better friend, partner, and ally than Australia. Our relationship is built on a solid foundation of trust, proven under fire, and steeled by deeply held shared values. From World War I to the present day, America has never entered a major battle without Australians firmly by our side. Thousands of Australians have made the ultimate sacrifice, laying down their lives alongside our own brave service men and women in pursuit of freedom and a better world.

America is profoundly grateful for Australia's sacrifices in pursuit of our common purposes. We are especially appreciative that after 9/11, Australia stepped forward to help us counter terrorism in Afghanistan, and we honor the 40 proud Australians who have fallen in combat there. I would ask, Mr. Chairman, that I be allowed to enter the names of those brave soldiers in the official record of this hearing.

The U.S.-Australia defense and security relationship is rock solid. Right now in northern Australia, more than 30,000 U.S. and Australian service members are taking to the sea, land, and sky as part of Exercise TALISMAN SABER 2013—a biennial combined training activity designed to improve the combat readiness and interoperability of our forces.

As part of the force posture initiatives announced by President Obama in November 2011, U.S. Marines are also conducting exercises and training on a rotational basis with the Australian Defence Force in Darwin and Northern Australia, which will enable both countries to join with other partners to respond in a timely and effective manner to a range of contingencies in the Asia-Pacific, including humanitarian assistance and disaster relief in the region. The President summed it up succinctly: "The United States is a Pacific power, and we are here to stay."

If confirmed, I pledge to do everything in my power to strengthen our strategic alliance and to ensure that we are fully prepared to work together to respond to the challenges of tomorrow, whether they are on land or at sea, in space or in cyberspace.

Second, if confirmed, I will endeavor to increase our mutual trade and investment.

The United States has \$136 billion in direct investments in Australia, more than in any other country in the Asia-Pacific and more than twice the value of our investments in China. Our bilateral Free Trade Agreement has resulted in impressive returns benefiting both countries—bilateral trade in goods and services has increased by nearly 98 percent since 2004, topping \$64 billion in 2012. Australia is a key center of operations for many U.S. companies, and their work there brings technology and capital into Australia, and creates jobs and enhances our exports sector here at home.

Today, we are also working with Australia to conclude the Trans-Pacific Partnership, the ambitious, next-generation, trade agreement that reflects our shared economic priorities and values and whose members span the Asia-Pacific.

If confirmed, I will work to strengthen our economic relationship with Australia and the Asia-Pacific region.

Finally, if confirmed, I will strive to further deepen our cultural, scientific, and conservation cooperation.

The United States and Australia share strong people-to-people ties, with some 400,000 Americans visiting Australia and around 1 million Australians visiting the United States last year alone. Academic exchanges are a critical part of our relationship with Australia. From food security and linguistics to oncology and renewable energy, students and scholars are bringing our countries ever closer together through cooperative innovations in the service of all humankind.

The United States and Australia share common objectives—a world that respects human rights and the rule of law; benefits from transparent, free, fair and open trade; and settles differences peacefully. We share a deep and abiding love of liberty and freedom. We both draw strength from our rich diversity and pride ourselves on providing opportunity or a “fair go” for all. Our bonds with Australia are truly unbreakable.

At the Australian Parliament House in 2011, President Obama delivered his clarion message on the Asia-Pacific region and the United States commitments there. He stressed that the U.S.-Australia “alliance continues to be indispensable to our future,” and that, “[i]n the Asia Pacific in the 21st century, the United States of America is all in.”

To conclude, I am deeply honored to be nominated for the position of U.S. Ambassador to Australia, and welcome the opportunity to lend my experience, passion, and dedication to enhancing our relationship with one of our strongest allies and partners, and to cementing the United States commitment to the Asia Pacific.

Mr. Chairman, I thank you for the opportunity to appear before you today and stand ready to answer any questions that you and other members may have.

Senator CARDIN. Thank you very much, Mr. Berry.

We have been joined by Senator Rubio who is the ranking Republican on the East Asia and Pacific Subcommittee. He is willing to defer an opening statement due to the time issues that I mentioned at the beginning of this hearing. Thank you, Senator Rubio. I appreciate your cooperation.

Of course, Senator Kaine has been here. I appreciate both my colleagues being here.

Mr. Clune.

**STATEMENT OF DANIEL CLUNE, OF MARYLAND,  
TO BE AMBASSADOR TO LAOS**

Mr. CLUNE. Mr. Chairman and members of the committee, thank you for the opportunity to appear before the committee today. And thank you, Senator Cardin, for your kind introduction.

With your permission, I would like to briefly highlight five priorities outlined in the statement that has already been included in the record.

But, first, I would like to introduce the members of my family who are here today who have shared the adventures and the hardships of a 28-year career in the Foreign Service with me: my wife, Judy, and two of our daughters, Sarah and Katie.

Mr. Chairman, if confirmed, I would focus on five broad priorities.

First, the issues arising from the war in Vietnam, that is, the accounting for U.S. personnel missing in action and the removal of unexploded ordnance, as you mentioned, Mr. Chairman. And I welcome the cooperation of the Lao Government in both of these efforts. We have made great progress in accounting for missing personnel, locating and returning the remains of 266 missing to their loved ones, and will continue to search for the 309 still missing.

We have also made good progress in clearing unexploded ordnance, educating affected communities, and assisting the victims. Last year, casualties were reduced to 56, down from an annual average of 300, and we have increased annual funding for the program from \$5 million to \$9 million.

Another high priority for me will be promotion of human rights and the rule of law, a central pillar of the administration's foreign policy. If confirmed, I will continue our efforts to help Laos reform its legal and regulatory systems and to speak forthrightly about in-

cidents such as the recent disappearance of Lao civil society leader, Sombath Somphone, and the return of nine young asylum seekers to North Korea.

Continued cooperation in the areas of health, counternarcotics, and the environment will also be a priority for me, including existing efforts to control infectious diseases, new efforts to address very high rates of child and maternal mortality, and support of Laos and other countries in the region on plans to construct dams on the main stem of the Mekong River. The Mekong underpins the livelihood of nearly 70 million people, and if confirmed, I will encourage cooperation between U.S. and Lao experts to minimize the impact of dams on local populations, habitat, and wildlife.

I will also work to strengthen people-to-people ties. With 70 percent of the Lao population under the age of 30, I intend to focus on building ties with students, young professionals, and government officials.

Finally, increasing U.S. trade and investment will also be a priority for me. The United States ranks 13th on the list of foreign investors in Laos and accounts for just 1 percent of its foreign trade. Laos joined the World Trade Organization earlier this year, and we are helping it to implement the reforms necessary to meet its WTO obligations. And I will work to acquaint U.S. businesses with the new opportunities this offers and encourage them to do more business in Laos.

Mr. Chairman and members of the committee, if confirmed, I look forward to working with the committee and other interested Members of Congress to advance U.S. interests in Laos.

Thank you again for the opportunity to appear before you today, and I am pleased to answer any questions you might have.

[The prepared statement of Mr. Clune follows:]

#### PREPARED STATEMENT OF DAN CLUNE

Mr. Chairman and members of the committee, thank you for the opportunity to appear before the committee today. I am deeply honored to have been nominated by President Obama to be the U.S. Ambassador to the Lao People's Democratic Republic. I am grateful for the President's confidence and to Secretary Kerry for his support of my nomination. If confirmed, I look forward to working with the committee and other interested members of Congress to advance U.S. interests in Laos.

I have served our country as a Foreign Service officer since 1985 and have led large interagency teams at two embassies and here in Washington. In my most recent position I served as the Principal Deputy Assistant Secretary in the Bureau of Oceans and International Environmental and Scientific Affairs. Previously, I was Deputy Chief of Mission and Charge d'Affaires at the U.S. Embassy in Australia. I have served previously in Southeast Asia, as the Finance and Development Officer at our Embassy in Jakarta.

If confirmed, I would be greatly honored to move our foreign policy goals forward as Ambassador to Laos. Among my priorities would be promotion of human rights, removal of Vietnam war era unexploded ordnance, accounting for U.S. personnel missing in Laos from the Vietnam war, and continued improvement of people-to-people ties.

With the resumption of full diplomatic relations in 1992, U.S.-Lao cooperation has improved significantly, but there have been ups and downs along the way. Former Secretary Clinton, during her historic visit in July 2012, became the first U.S. Secretary of State to set foot in the country since John Foster Dulles in 1955. Her visit reaffirmed the United States' commitment to working with the Lao people to promote sustainable economic development and redoubling our efforts to remove unexploded ordnance, also known as UXO.

The cornerstone of our bilateral cooperation with Laos since 1985 has been the close cooperation in accounting for U.S. servicemen and civilians still missing in Laos from the Vietnam war. I am committed to returning these patriots to their

loved ones. I see this mission as a humanitarian one and welcome the Government of Laos' cooperation.

Continued cooperation between Laos and the United States in UXO removal has helped to reduce the number of unexploded ordnance casualties in 2012 to 56, down from an annual average of 300. If confirmed, I will continue to advance our efforts to not only clear the unexploded ordnance, but also to educate the affected communities on the dangers of UXO and assist the victims.

Earlier this year, Laos officially joined the World Trade Organization, which opened new avenues to integrate the country into the regional and global economies. The Department of State and USAID played an integral role in helping Laos reform its legal and regulatory infrastructure to be able to comply with WTO rules. A follow-on project will help them implement these reforms and move toward integration in the ASEAN Economic Community.

We will also continue our longstanding work with Laos to counter illicit drug cultivation, trafficking and addiction. Our assistance helped contribute to a sharp drop in illicit opium poppy cultivation from 1998 to 2007, and we are currently working to build support for science-based drug addiction treatment in Laos. Along with international partners, we are assisting the Lao Government in implementing its Legal Sector Master Plan framework for justice sector reform.

We have worked closely with Laos and other countries in the region to support improved decision making on plans to construct dams on the mainstream of the Mekong River. Managed poorly, dams can displace local inhabitants, irreparably alter the natural habitat, and threaten fragile aquatic life. The Mekong River underpins the livelihoods and food security for nearly 70 million people. If confirmed, I will encourage cooperation between U.S. and Lao experts on smart hydropower development to sustainably develop energy resources and reduce negative impacts to local populations, habitat, and wildlife.

The United States and Laos have cooperated very closely on health-related issues like the control of infectious diseases. If confirmed, I hope to devote more attention and resources to the issues of undernutrition and the high rates of infant, child, and maternal mortality. Malnutrition is the single largest cause of child mortality in Laos with 59 percent of all child deaths related to nutritional deficiencies.

This problem will affect Laos' social and economic development in the future and urgently needs to be addressed.

Despite the progress in our relationship, recent incidents have raised serious questions regarding the Lao Government's adherence to its international human rights obligations. The December 15, 2012, disappearance of Lao civil society leader, Sombath Somphone, from a police post in downtown Vientiane continues to have a chilling effect on civil society. The failure of Lao authorities to conduct a transparent investigation and account for Mr. Sombath's disappearance calls into question the government's commitment to uphold human rights and the rule of law. I am also concerned about the Lao Government's decision on May 27 to return nine young North Korean asylum seekers to North Korea. I hope this action does not signal a trend of sending future asylum seekers back to their home country against their will.

The increasing openness of the economy, growing access to the Internet, and the recognition by the Lao Government of the importance of English language skills presents an opportunity to engage the Lao public through cultural and educational exchanges. With 70 percent of the Lao population under the age of 30, I intend to redouble mission efforts to build ties with students, young professionals, and young government officials.

The U.S. mission in Laos is small but growing; with approximately 36 direct hire Americans and 230 local staff. I am pleased to inform the committee that construction of the New Embassy Compound should be completed in September 2014. The new facility will provide a safe working environment for the dedicated and highly capable American and Lao staff members of the U.S. mission. I look forward to the mission moving to this new facility, and if confirmed, to advancing the goals of the American people. Of course, I would also welcome visits by you or members of your staff.

Mr. Chairman and members of the committee, thank you for this opportunity to appear before you today. I am pleased to answer any questions you may have.

Senator CARDIN. Well, thank you very much for your testimony.  
Mr. Yun.

**STATEMENT OF JOSEPH YUN, OF OREGON,  
TO BE AMBASSADOR TO MALAYSIA**

Mr. YUN. Mr. Chairman, Senator Rubio, and Senator Kaine, it is an honor for me to appear before you today as President Obama's nominee to be the next Ambassador to Malaysia.

Mr. Chairman, with your permission, I would like to take this opportunity to introduce to you and the committee my wife of 35 years, Melanie, who has been with me in all our foreign and domestic assignments. Our son, Matthew, could not be here today because he is working in Oregon. He grew up as a Foreign Service brat, moving from country to country, school to school. Melanie and Matt really do exemplify our Foreign Service families. We ask a lot from them, and I cannot thank them enough.

Mr. Chairman, this nomination is very meaningful to me. As a career member of the Foreign Service, I have devoted 27 years of service to promoting American interests abroad. My main motivations for joining the Foreign Service in 1985 were twofold.

The first was the example of my father, who was a medical doctor devoting most of his professional life in Africa, working for the World Health Organization, establishing hospitals and clinics. He exemplified for me the concept of public service, and I wanted to follow in his footsteps.

The second was the searing impression left on me by the 1979-1980 Iran Embassy hostage crisis, especially the courage shown by men and women of our Embassy in Tehran. I wanted to belong to such a community that exemplifies honor and loyalty.

If confirmed, I will have an opportunity to lead such a community, and I cannot think of a higher honor. The men and women who work in our missions overseas, whether they are Americans or locally engaged staff, whether they are from the State Department or from other USG agencies, are our greatest assets. If confirmed, I pledge to maintain high ethical and managerial standards. I will insist on the best possible security for our personnel, property, and national security information. I will also insist on full, clear, and transparent communications between the Embassy and Washington, including with you, members and staff of this committee.

Mr. Chairman, over the past 4 years, I have worked as Deputy Assistant Secretary, Principal Deputy Assistant Secretary, and the last 6 months as Acting Assistant Secretary for the East Asian and Pacific Bureau. In that capacity, I have testified in front of your committee, as you mentioned, on several occasions, and I have discussed various aspects of the administration's Asia policy with you and committee staff on many occasions.

Much of our discussions have focused on the administration's strategic commitment to rebalance our policy toward the Asia-Pacific. I want to take this opportunity to thank you and members of the committee and staff for your support and counsel, which I have greatly valued.

The administration's policy in Malaysia is very much consistent, indeed, a part of our Asia rebalance policy. This policy is founded upon expanding trust and understanding, growing mutual prosperity, and ensuring peace and security in the broader region. Malaysia has become an important supporter of the U.S. rebalance to Asia-Pacific. If confirmed, I will work to make the United States-



Malaysia relationship stronger still because I firmly believe that we have much to gain through expanded trade and investment, people-to-people exchanges, and deeper cooperation on issues such as climate change, energy security, counterterrorism, and nonproliferation.

Mr. Chairman, on the political side, while we were very pleased—I think you did mention in your opening statement about the election—to see a very large turnout in a very hotly contested election earlier this year. However, we did note with concern allegations of voter fraud and arrest of opposition members.

Mr. Chairman, advocacy for democratic freedoms is an essential pillar of what we do abroad. Throughout my 27-year career, I have worked toward this end, most recently as the point man for the State Department for reforms in Burma. If confirmed, I will strongly uphold this objective in Malaysia.

Malaysia is an important partner for the United States, and if confirmed, I look forward to representing the United States as our Ambassador, leading our Embassy and enhancing our relationship with Malaysia.

Thank you for the opportunity to speak to you today, and I welcome any questions you may have.

[The prepared statement of Mr. Yun follows:]

PREPARED STATEMENT OF JOSEPH YUN

Chairman Cardin, Senator Rubio, and distinguished members of the committee, it is an honor to appear before you today as President Obama's nominee to be the next Ambassador to Malaysia. I am deeply grateful to President Obama and to Secretary Kerry for placing their confidence in me with this nomination to serve the United States of America.

With your permission, Mr. Chairman, I would like to take this opportunity to introduce to you and the committee my wife of 35 years, Melanie, who has stood by me in all our foreign and domestic assignments. Our son, Matthew, could not be here today, because he is gainfully employed in Oregon; he grew up as a "foreign service brat," moving from country to country, school to school. Melanie and Matt exemplify our foreign service families—we ask a lot from them—and I cannot thank them enough.

Mr. Chairman, this nomination is very meaningful for me because, as a career member of the Foreign Service, I have devoted 27 years of service to promoting American interests abroad, mostly in Asia. My main motivations for joining the Foreign Service in 1985 were two. First was the example of my father, who was a medical doctor, devoting most of his professional life in Africa, working for the World Health Organization, establishing hospitals and clinics; he exemplified public service, and I wanted to follow in his footsteps. Second was the searing impression made on me by the 1979–80 Iran Embassy hostage crisis, especially the courage shown by the men and women of our Embassy Tehran—I wanted to belong to such a community that exemplifies honor and loyalty.

If confirmed, I will have an opportunity to lead such a community; I cannot think of a higher honor. The men and women who work in our missions overseas—whether they are American or locally engaged staff, whether they are from the State Department or other USG agencies—are our greatest assets. If confirmed, I pledge to maintain high ethical and managerial standards. I will insist on the best possible security for our personnel, property, and national security information. I will also insist on full, clear, and transparent communications between the Embassy and Washington, including with you, members and staff of this committee.

Mr. Chairman, over the past 4 years, I have worked as Deputy Assistant Secretary and Principal Deputy Assistant Secretary—and last 6 months as Acting Assistant Secretary—for the East Asia and Pacific Bureau. In that capacity, I have testified in front of your committee on several occasions and I have discussed various aspects of the administration's Asia policy with you and committee staff on many occasions.

Much of our discussions have focused on the administration's strategic commitment to rebalance our policy toward the Asia-Pacific. I want to take this opportunity



to thank you and members of committee and staff for your support and counsel, which I have greatly valued.

The administration's policy in Malaysia is very much consistent, indeed an integral part, of our Asia rebalance policy. This policy is founded upon expanding trust and understanding, growing mutual prosperity, and ensuring peace and security in the broader region. I know Malaysia has become an important supporter of the U.S. rebalance to Asia-Pacific; if confirmed, I will work to make the U.S.-Malaysia relationship stronger still, because I firmly believe that we have much to gain through expanded trade and investment, people-to-people exchanges, and deeper cooperation in issues such as climate change, energy security, counterterrorism, and non-proliferation.

The United States has extensive bilateral and multilateral cooperative agenda with Malaysia. We are working together to increase the security of our populations and the safety of our borders. Our law enforcement cooperation has increased in recent years, as we have jointly fought terrorism, proliferation, trafficking in persons and narcotics, and other serious crimes. We are continuing to improve an already strong military relationship through exercises, security dialogues, ship visits, military education, and joint training.

Malaysia is also an important commercial and economic partner for us. Our bilateral trade totals over \$39 billion. This year we look forward to concluding our first free trade agreement with Malaysia, through the Trans-Pacific Partnership (TPP). We are engaging all our TPP partners, including Malaysia, to secure commitments to achieve a high-standard agreement that expands market access and establishes common rules for a level playing field. We also are thrilled with Malaysia's hosting of the fourth Global Entrepreneurship summit in October. This important presidential initiative will energize, empower, and connect entrepreneurs from around the region and around the world.

Our growing people-to-people connections reflect the overall growth of the bilateral relationship. Most significantly, the Fulbright English Teaching Assistant program—our third-largest program of its kind—Malaysia currently hosts 75 English Teaching Assistants who are placed in Malaysian communities, and that number is set to increase to 100 next year.

Travel to the United States by the Malaysian people is also on the upswing. Since fiscal year 2010, there has been a 23-percent increase in the number of Malaysians applying for visas (tourist, student, and work) to visit the United States temporarily, and this increase cuts across all major ethnic groups in the country.

On the political side, while we were extremely pleased to see large voter turnout in a hotly contested election earlier this year, we noted with concern allegations of voter fraud and arrest of opposition members.

Advocacy for democratic freedoms is a central pillar of what we do abroad. Throughout my 27-year career I have worked toward this end; most recently as the point man in the Department for reforms in Burma. If confirmed, I will strongly uphold this objective in Malaysia.

Another area in which we can work together with Malaysia is on human trafficking. Malaysia just entered its 4th consecutive year on the Tier Two Watch List for human trafficking. If confirmed, I will prioritize working with the Malaysian Government and civil society to help improve its trafficking victim protection regime.

Malaysia is an important partner for the United States. If confirmed, I look forward to representing the United States as our Ambassador, leading our Embassy, and enhancing our relationship with Malaysia.

Thank you for the opportunity to speak with you today, and I welcome any questions you may have.

Senator CARDIN. Well, thank you, Mr. Yun. I appreciate your testimony and your service.

When you and I first met, we talked about good governance. We talked about human rights issues, and we talked about the challenges we have in the Pacific because we have countries that are some of the greatest democracies in the world and we have some of the most repressive governments in the world.

My question is going to be to all three of you on how we are going to advance good governance and human rights, and I particularly want to acknowledge that Senator Rubio, the ranking Republican on the subcommittee, and I have worked together on this

agenda in this Congress, that we are going to put a spotlight on human rights issues. Our first hearing was on good governance and human rights. In my visit to the region, it was one of the primary focuses that I did in all three countries that I visited.

The Foreign Minister of Australia, Foreign Minister Carr, stated in a March 2013 statement that he wants to work with the United States on promoting human rights and development of democracy and good governance through the Asia-Pacific region.

So let me start with Mr. Berry, if I might. Australia shares our values, one of the great democracies in the world. How can the United States and Australia work together to promote good governance in a region where there are many countries that are very challenged in that direction?

Mr. BERRY. Mr. Chairman, I think it is an incredibly important pillar in our relationship and one that Australia has stepped forward in a significant way. Most recently, they increased their willingness to accept political refugees to a number, almost doubling their commitment, which makes them second only to the United States in their willingness to step forward to help people who are seeking political asylum, according to the U.N. convention standards.

The Australians are also heavily involved with us on so many issues of human rights. Human trafficking, as we know, is a major issue throughout the Asia-Pacific, and Australia is working closely with our professionals at the Department of State and our law enforcement folks throughout the region to, hopefully, beat back an issue that we know has a human toll that is reprehensible. It is modern day slavery, and that is something that we all must commit to ending. And we have a great partner in Australia in that regard.

Otherwise, we are involved in almost every front through the United Nations, Mr. Chairman. You know, Australia will take over the seat on the Security Council this coming fall, and in that capacity, they have advanced this as one of the most significant issues of their concern and their leadership in that body. And so we will look forward to working diplomatically on all of these issues, which I know that you and the ranking member and Senator Kaine care so deeply and passionately about. Thank you for your leadership.

Senator CARDIN. Mr. Clune, Mr. Berry mentioned trafficking. In Laos, the reports are not favorable at all as to the current situation on human trafficking in Laos. The freedom of expression is very much not respected in the country. How will you, if confirmed as the Ambassador, help advance our goals for good governance and respect for rights in Laos?

Mr. CLUNE. Thank you, Senator.

Human rights is one area where we do have differences with the Government of Laos. If confirmed, I would work in three areas. One, as I mentioned, is to speak very forthrightly about incidents which involve violations of human rights, and I mentioned the arrest of the NGO leader Sombath Somphone and the return of the nine very young asylum seekers to North Korea.

But I also think it is important to help build institutions, and we do have some small programs to help Laos institute reforms in its legal and regulatory systems. One is a USAID-funded project de-

signed to help them implement their WTO obligations, and our International Narcotics and Law Enforcement Bureau has a program to strengthen the judicial sector and provide training to judges and police. I think the more we can strengthen those institutions, the better chance there will be for the government to respect human rights.

And third—and I think in a way this may be the most important of all, and that is to really work on people-to-people ties because the one thing I think we can offer to the Lao people is our experience as a free and democratic society, and as we reach out to especially the younger members of the Lao population, I think we can persuade them that respect for human rights is really essential to their prosperity and security in the future.

Senator CARDIN. Thank you.

Mr. Yun, Malaysia is a democratic state, and yet the way that it deals with its political opposition, the way that it tightens on freedom of expression is a major concern. How do you balance that, if confirmed as the Ambassador, to continue to promote democracy but point out our concerns about—I think universal concerns about the freedom of expression?

Mr. YUN. Mr. Chairman, of course, those are difficult issues.

I think one tool we should use more is multilateral forums and multilateral diplomacy. We have a great example, for example, in OSCE. You, yourself, are chairman of the U.S. Helsinki Commission and some of the countries in Asia have recently become dialogue partners in OSCE.

Another tool is, of course, the ASEAN, and there is a human rights dialogue that goes on there.

And so my experience especially dealing with tough domestic, political, freedom issues is also to do more multilaterally, whether it is in the ASEAN setting and others.

But in the end, Mr. Chairman, I do believe we do have to speak our mind. We do have to speak very clearly not just to the government but to others. And in that sense, also the growth of civil society throughout the region is an important tool. And I do believe that in many of these debates, there is beginning to be more—the gap is now narrowing. We have witnessed that, you know, for example, in Indonesia over the last 10 years and certainly in Burma over the last few years. And so I think there is generally a good trend and generally emerging consensus.

Thank you.

Senator CARDIN. Thank you.

Senator RUBIO.

Senator RUBIO. Thank you all for your service to our country and for being willing to step up and be nominated to these posts.

Let me begin with you, Mr. Clune, and Laos, and I have a couple of questions. Let me just go right to the issue of the nine North Korean defectors. My understanding is that these were orphans between the ages of 15 and 23, were traveling through Laos to reach South Korea. They were detained by authorities and they were forcibly repatriated to North Korea. We do not know their fate. Previously, of course, Laos had been a safe haven for defectors and had assisted many in finding safety to South Korea. Is this a policy change on behalf of the government? Are we seeing a change on the

ground there? What is behind that? And by the way, what did we do or what do we know about that case moving forward?

Mr. CLUNE. Senator, I fully share your concerns about that incident. Following the detention of the nine young orphans, we and the South Koreans and various members of the European Union made repeated representations to the Lao Government about that case and insisted that they fulfill their international obligations and not return these asylum seekers to a place where they obviously would be in danger.

Following that incident and following our representations, there was another group of asylum seekers, 20 individuals from North Korea, who were allowed to travel on to South Korea. So we hope this signals a return to their previous policy, but in any case, we will very closely monitor that situation, along with our friends in South Korea and Europe, and consult with this committee about the situation going forward.

Senator RUBIO. Let me pivot to another concern which I have as well about Malaysia. And it is about the increasing encroachment on religious liberties, which I think is an essential human right.

In Laos—and maybe you could comment on this, but the government continues to impose legal restrictions on the freedom to fully worship. For example, we have seen multiple news reports that it is common practice for local village leaders to expel and harass Christians with little fear of repercussion from the government for that.

What is the state of that and what are our efforts to speak out loudly about how that is unacceptable behavior?

Mr. YUN. We do, as you know, have an annual freedom of religion report, and that report really does take a considerable amount of resources and we do it fairly actively. And I would say religious freedom in Malaysia, as it is in the region, is becoming much more serious, especially the polarization between the Muslim and Christian community, and Christians are, of course, in the distinct minority.

Senator Rubio, like many issues, I do believe that this is a factor of what is happening, for example, in the Middle East and elsewhere. And Secretary Kerry was out there in Brunei about a month ago. I accompanied Secretary Kerry. On that occasion, he did talk a lot about what he is doing in terms of Middle East peace. And really what the leaders of this region want to see is less polarization, and we need to help them.

Senator RUBIO. And Malaysia is important. It is a democratic country. And I am going to have some specific examples here in a second.

But just in general on the issue of Laos, what is the situation there? This is still one of the world's remaining Communist countries. So it is not surprising. But how would you describe—I guess we all agree that religious liberty is not really existent for Christians in particular in Laos. And is that going to be part of our relationship with them to be a voice on behalf of those who are being persecuted in these official and unofficial ways?

Mr. CLUNE. Definitely, Senator Rubio. Laos, of course, is a one-party authoritarian state, and as I mentioned, we do have very significant differences with them on human rights issues.

On the question of religious freedom, I think looking back over many years, there has been some progress in Laos, and there is a law that has been passed which is intended to guarantee religious freedom. There is a section of the central government that is charged with that, but the enforcement on the ground is uneven at best. And I think the religious freedom report mentioned that there are cases where the provincial and local leaders are not following the law that has been passed by the central government. And if confirmed, I will closely monitor that situation and certainly bring the government's attention to those kind of cases.

Senator RUBIO. Our hope is, if you are confirmed, you will not just monitor and bring attention but that you will be a forceful advocate on behalf of those who are being oppressed. I think it is important for the United States that our representative there be someone who speaks clearly on these issues.

Malaysia is a different challenge. I want to briefly describe, in the time that I have left, kind of the situation there on the ground. The ruling party—and if I mispronounce this—Barisan Nasional—they ran a campaign where they put up a bunch of billboards carrying pictures of churches during the election campaign which asked the people in the Malay language, do we want to see our children and grandchildren pray in this Allah's house? If we allow the use of the word "Allah" in churches, we will sell our religion, race, and nation. Vote Barisan Nasional because they can protect your religion, race, and nation.

As a followup to that, one of the first efforts from the ruling government was to try to pass a law which, I understand, has been withdrawn at this time. But what the law basically said was that if just one of the two parents consent that a child could be forced to convert to Islam. And this is a country—correct me if I am wrong—where being a Muslim grants you special rights and privileges under the law that other religious minority—or other religious groups do not have. Of course, this is very concerning because there have been cases, particularly of men, fathers, who will try to force their children to convert in an effort to access these benefits. So we are concerned about that.

And then just a couple of days ago, we get this report from the AFP that basically says that several Islamic groups on Friday are demanding the recall of the Vatican's first envoy to Malaysia describing him as an enemy of the state after he supported the use of the word "Allah" by non-Muslims. Dozens of protesters gathered outside the Vatican's mission in Kuala Lumpur after prayers on Friday urging the government to expel Archbishop Joseph Marino.

He, by the way, has apologized for using those terms. I am not sure why, but it was not enough for some Muslim organizations. They consider him an enemy of the state. His actions have strained race relations in this country.

What is the state of this with regard to the government, and what are your plans, if confirmed, to be a forceful voice on behalf of religious liberty in a so-called democracy?

Mr. YUN. Thank you, Senator Rubio.

I do believe that we have to partner with the Government of Malaysia. They are the moderating voice. In fact, the Prime Minister of Malaysia has started a movement called Global Movement of

Moderates, GMM, and it is very important we support these elements in society who are forwarding moderation. If confirmed, we will work effectively with these partners so that voice of moderation and there is less polarization. And I think that ought to be the message of the United States.

Senator RUBIO. I just have one final question. I am sorry. I am over my allotted time.

But if you are confirmed and cases like this arise and we bring them to your attention, will you be a forceful voice on behalf of those, particularly religious minorities, in Malaysia who are being persecuted on an ongoing basis?

Mr. YUN. Absolutely, sir.

Senator RUBIO. Thank you.

Senator CARDIN. Let me just add my total support for Senator Rubio's questioning. The two of us have talked about religious rights in the East Asia and Pacific. I was very disappointed and surprised in my visit to China to see how widespread religious persecution has gone. The Subcommittee on the East Asia and Pacific is going to put a spotlight on this. Senator Rubio and I have talked about it. So we expect that in Malaysia and Laos, among other countries, that we get regular updates on the progress being made and that our Embassy is promoting the universal values of religious protections particularly for minorities.

Senator Kaine.

Senator KAINE. Thank you, Mr. Chair.

And to the nominees, congratulations. I do not particularly have questions, but I wanted to come this morning just to thank you and all who are here to support you for your service to the country. I recently returned from a CODEL to the Middle East and Afghanistan that was led by Senator Cornyn and had an opportunity to meet with some of the best of the best American Foreign Service professionals in Turkey, Jordan, the UAE, and Afghanistan. And I just was struck, as I am always struck because there are so many Foreign Service professionals that live in Virginia, but I am just struck by the professionalism, the challenge, and also the incredible sacrifice of family members. And I am so glad your life partners, spouses, children, nieces and nephews, and friends are here today. It is a huge sacrifice. I think we often think more about the sacrifice made by those in military service for a reason, and yet the careers you have had, while they have had some wonderful opportunities, I am sure that moving to so many places is not easy on families. I have been in public life for 20 years, and I have lived at two locations, one public housing, the Governor's mansion. But they were 3 miles apart from one another. That is the only move I have had to do in 20 years in public life. And yet, the kinds of things you had to do in the Foreign Service as families is significant.

Now, Mr. Berry, this will be your maiden venture in the Foreign Service but not into Government service. You sacrificed along the way. And I want to add to what Congressman Hoyer said. The Federal workforce has not had a better champion than you, and the Federal workforce, whether it is the State Department, USAID, or EPA, or any other agency, needs some champions. And you have been a great champion. Senator Cardin has been a great champion.

We have got a lot of Federal employees that live in Maryland and Virginia, and I think it has become common to try to knock the Federal workforce around and use them as a punching bag or a scapegoat. But I am just impressed again and again by the dedication of folks, not that we do not have problems, not that we do not have agencies that do things wrong. We are a Government by, of, and for the people, and people are imperfect. So that means Government is imperfect. But again and again, we have got wonderful people just like you who are doing jobs known in public or unknown and unrecognized all over this country. And I just want to thank you all for being such good examples, being such good examples of what our Federal employees can do. And I have no doubt that in each of your different responsibilities, you will represent us well.

The other thing I just wanted to mention to Mr. Berry is apropos of your comments on this CODEL in the Middle East and Afghanistan. We finished with a stop at Landstuhl Regional Medical Center in Germany where the wounded warriors from Afghanistan go as soon as they are able to be medevaced out of Afghanistan. And I met a very chipper, under 30-year-old Australian who was recovering at the hospital with his wife. And when I inquired about him, in a very comical way he just said, you know, I just should not have accepted that fifth deployment, putting a smile and a joke on a very serious reality. But the points you made about Australians being with us anytime we needed to act and protect not only our own interests, but important global interests, Australians have been right there with us. That is an important thing that was made very plain to me recently.

So thanks to all of you and my congratulations.

Senator CARDIN. I mentioned in my opening statement the challenges we have on environment. So I am not going to ask specific questions although in Laos, the Lower Mekong Initiative is an incredible opportunity to make advancements on the economic front. We have the TPP and two of the countries here are very much involved in that.

I do want to ask one question, Mr. Yun, in regards to the military aspects. The President has indicated that he is looking for closer defense cooperation with countries in the Asia-Pacific region such as Malaysia. How do you see that developing and what role can you play to advance our mutual defense interests?

Mr. YUN. Thank you, Mr. Chairman.

We do have actually very strong military and security ties with Malaysians at the moment. We have had a number of ship visits, mostly those from our Pacific Command, and we do some joint exercise together, search and rescue mission exercise together.

Mr. Chairman, as we look at rebalance to Asia or pivot to Asia, the military element is a big part of that, you know, diplomatic, of course, economic, of course, so is the military if we are to protect freedom of navigation, maritime boundaries, and especially our lawful exploitation of resources there. We also need military presence, and in that sense, I do believe Malaysia will be a good partner, as is their neighbor just south there, Singapore, and is the Philippines, for example. So we will increasingly rely, work together, as we have done for the past several decades. Despite ups

and downs in the diplomatic relationship, I am happy to say the military-to-military relationship has been quite steady.

Senator CARDIN. Well, thank you.

Mr. Clune, you mentioned in your opening statement—I mentioned in my statement—the legacies from the Vietnam war. We strongly support your statement about accountability of those missing in action and that we get full accounts of all of our service men. Both you and I mentioned the concerns on the unexploded ordnances that are still there.

I just want you to know that in this committee you have an ally. As you look and assess the circumstances, please keep us informed as to the way that the United States can strengthen its partnership to accomplish both of those objectives on the legacy from the Vietnam war. Sometimes the politics of appropriations, et cetera, can become challenging. So please feel comfortable to keep us informed as to how progress is being made on both of those fronts and the tools that you need in order to achieve we hope a more rapid resolution of these issues.

Mr. CLUNE. Thank you, Senator. I really appreciate that offer of assistance and I promise I will take you up on that and get back to after I have got a better understanding of these issues, if I am confirmed and go to Laos.

Senator CARDIN. Thank you.

Senator Rubio.

Senator RUBIO. Thank you.

And before I pivot to Australia, I wanted to close the loop again on Laos and Malaysia. Here is one more example, another article about a young woman who has had a 3.8 GPA and her foundation here at the University of—her application to pursue a medical course was rejected. According to her father, his daughter's application was rejected because her name sounded foreign and Christian. So just one more example again of a news report of that sort of oppression.

I raise these points because I think sometimes in the past being on the right side and issuing a communique or statement is not enough. In many of these countries where religious minorities are being persecuted, the U.S. mission is perhaps the only entity on the ground that could be their voice and speak for them. And so my hope, moving forward, is that—and I have full confidence that you will do that based on your testimony today—that both in Laos and Malaysia, as the situation there continues to unfold, not only will we be communicating with government leaders about the importance of religious liberties and the respect for religious minorities, how important that is to our bilateral relationships, but also to be a forceful voice condemning instances in which that is violated and condemning instances in which that is being ignored and, in particular, these atrocities and terrible cases like the ones we outlined a little earlier and are existing in other parts of the world. So my hope is that, in fact, that our missions will not just be on the right side but will be forcefully speaking out on the right side of these issues.

Now, to a relationship that has probably been a little bit easier to manage in that regard is Australia. I do have a couple questions.



One, Mr. Berry, can you describe for us briefly how your experience as a Federal administrator you believe has prepared you now to assume a diplomatic post and in particular furthering the bilateral relationships we have with Australia?

Mr. BERRY. Thank you, Senator. Let me also personally thank you for your leadership and your forceful voice for religious liberty. As a grateful American, thank you.

I have been honored to serve in many capacities in the Government, and one thing I can tell you is that, as Senator Kaine mentioned, the men and women of the State Department are amongst the best and brightest I have encountered. I think when one is proposed to be considered for one of these important posts, it is important that one be a good leader. And the first test of leadership is appreciating the talents of your team, and I know I am going to have a very strong team to rely upon, if I am confirmed into this position.

But also in previous appointments, I have had the privilege to be involved in international activities, especially focused around conservation. When I headed the National Fish and Wildlife Foundation, I got to be involved in tiger conservation throughout Asia and as director of the National Zoo was directly involved with the Chinese in conserving giant panda habitat in China. We had a significant success story there to tell.

And then finally, when I was Assistant Secretary at the Department of the Interior, one of the responsibilities at the time—there was not an Assistant Secretary for the Pacific territories and the trust territories of the United States. That was part of my portfolio in that responsibility.

And so I have been involved in the Pacific throughout my career and in Asia in many of these topics. And if I am confirmed, it would be my high honor to work my heart out to continue.

Senator RUBIO. Thank you. And just as an irony, from time to time, folks back home describe the capital as the National Zoo. [Laughter.]

So I think you are at home here. [Laughter.]

I do have a question, and you may have addressed it in your opening statement. I apologize for being a few minutes late. What information do you have for us on the progress on the Trans-Pacific Partnership negotiations? I know that the administration had hoped to finalize the agreement by October 2013. What is the status of that? What can you tell us today about whether we are going to meet that deadline or that date that we had hoped to?

Mr. BERRY. Senator Rubio, I know the President has placed high importance on successful conclusion of this treaty this year, and I know in briefings at the U.S. Trade Representative that they are pulling out all stops. Australia is actually working closely with us to help us secure the passage of this treaty. As you know, we already enjoy a free trade agreement with Australia, but if we can expand the boundaries of free trade throughout the Asia-Pacific region, it opens up 40 percent of the world's gross domestic product for U.S. trade and exports, which will be a huge opportunity both for us and for Australia.

So I can promise you, if confirmed, it will be one of my highest priorities to work with the committee, with the Trade Representa-

tive, and the President to see if we can meet the deadline of securing the passage of that treaty and presenting that to the Senate this year.

Senator RUBIO. And my final question is—I view Australia—you probably do as well. I am sure the chairman does—as a critical component of the U.S.'s enduring presence in the Pacific region as a Pacific power. I would not call it a concern, but an observation that I have is that China continues to be Australia's biggest trade partner mainly due to its strong demand for Australia's minerals and energy resources. And just recently there was a report of a shale oil deposit above 223 billion barrels that an energy company in Australia discovered. This essentially puts Australia ahead of places like Iraq, Iran, Venezuela, Canada in terms of energy reserves.

So with this new availability of energy in Australia and that existing mineral relationship between China and Australia, how will that impact that relationship moving forward? And in particular, I am curious with regards to how that impacts our ongoing defense posture with the Australians that have been welcoming. I think there is a Marine presence now in Australia with joint exercises. The Chinese, obviously, sometimes view that both publicly and privately as an effort to contain them.

And so, in essence, can you foresee a situation where this increased reliance on exports to China, combined with this increased energy supply that is now available to them, could potentially strengthen those economic bonds, which may or may not be a bad thing, but could undermine our efforts to work in a military cooperation with the Australians? How do we balance that? Are we concerned about balancing that? What are your thoughts?

Mr. BERRY. Senator, thank you. First and foremost, there is nothing more important than our strategic alliance with Australia, and that will be and remain one of my highest priorities if I am confirmed into this position.

The Australians have worked closely with us, with the Marines in Darwin, and not only with the rotation of those Marines that are there, but right now there is an operation going on that involves tens of thousands of both Australian and U.S. forces called Talisman Saber that is looking at crisis response throughout the Asia-Pacific.

And our partnership with Australia is critical in terms of the breadth of that response. We together share the concern of maintaining open and free commerce and free trade on the seas. We both share a concern for proliferation in the region and work together tirelessly to combat that. We both need to be ready to respond to human and natural disasters, and we need to look at conflict in the region, for example, in North Korea. And Australia is a great partner with us there.

Turning to the trade portion of your question, sir, the United States is a major—we are the largest investment partner for Australia, and our investment in Australia exceeds that of our investment in China from the United States. Our economic relationship has increased 98 percent since we began our free trade agreement, last year topping \$65 billion. Much of that energy development that you are talking about is joint with U.S. companies. Chevron is very

involved, along with other United States oil and gas companies. And I suspect with this new discovery that you referenced this week, the United States will be very competitive in terms of helping Australia develop those resources for the world.

Finally in closing, I would say the Australian LNG gas development that has been historic in terms of the speed with which they have been able to bring on line is one of the ways that, as you know, the United States—we have helped to reduce our carbon footprint in the world with our own LNG gas development. Australia contributing to that is going to help us and help the world in terms of those overall carbon targets in reducing the impact of that carbon footprint.

Obviously, China is going to remain an active trading partner with Australia. That is one of the opportunities that we can use to help China continue its forward momentum but do so in a peaceful basis.

So, Senator, thank you, and if I am confirmed, I promise you I will stay in close touch with you and members of the committee on these issues as we move forward.

Senator CARDIN. Well, let me thank all three of our nominees for their presence here and again their willingness to serve.

I just want to underscore one of the security issues that you have mentioned. That is maritime security. We talked about that before the hearing started. The maritime security issues are of a great concern to us because the maintaining of free shipping lanes is critically important, the resources that are in that region under water which are currently being looked at for development and the territorial integrity. The United States has a very strong position that these issues must be resolved peacefully with direct negotiations among the parties. And we will expect again that you will keep us informed as to issues that may be developing in regards to maritime security matters.

If there is no further questioning, we will bring the hearing to a conclusion and thank you all again for your cooperation.

[Whereupon, at 10:08 a.m., the hearing was adjourned.]

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ADDITIONAL MATERIAL AND QUESTIONS AND ANSWERS SUBMITTED  
FOR THE RECORD

NAMES OF 40 AUSTRALIAN SERVICEMEN WHO DIED IN AFGHANISTAN AS PART OF  
COALITION ACTIVITIES SUBMITTED BY JOHN BERRY

**Australian Defense Force personnel deployed to Afghanistan  
killed in action**

There have been 40 operational deaths in Afghanistan:

1. Sergeant Andrew Russell, SASR, died of wounds sustained when his patrol vehicle struck an anti-tank mine on 16 February 2002.
2. Trooper David Pearce, 2/14 LHR QMI, was killed when his ASLAV was struck by an Improvised Explosive Device on 8 October 2007.
3. Sergeant Matthew Locke MG, SASR, was killed by Taliban insurgent small-arms fire on 25 October 2007.
4. Private Luke Worsley, 4RAR (Cdo), was killed by Taliban insurgent small-arms fire on 23 November 2007.
5. Lance Corporal Jason Marks, 4RAR (Cdo), was killed by Taliban insurgent small-arms fire on 27 April 2008.
6. Signaller Sean McCarthy, SASR, was killed when the vehicle he was travelling in was struck by an Improvised Explosive Device on 8 July 2008.
7. Lieutenant Michael Fussell, 4RAR (Cdo), was killed by an Improvised Explosive Device during a dismounted patrol on 27 November 2008.
8. Private Gregory Sher, 1st Commando Regiment, was killed in a rocket attack on 4 January 2009.
9. Corporal Mathew Hopkins, 7th Battalion, The Royal Australian Regiment, was killed during an engagement with the Taliban on 16 March 2009.
10. Sergeant Brett Till, Incident Response Regiment, was killed by an Improvised Explosive Device during a route clearance task on the 19 March 2009.
11. Private Benjamin Ranaudo, 1st Battalion, The Royal Australian Regiment was killed as a result of an Improvised Explosive Device on 18 July 2009.
12. Sapper Jacob Moerland, 2nd Combat Engineer Regiment was killed as a result of an Improvised Explosive Device strike on 7 June 2010.
13. Sapper Darren Smith, 2nd Combat Engineer Regiment died of wounds sustained during an Improvised Explosive Device strike on 7 June 2010.
14. Private Timothy Aplin, 2nd Commando Regiment died as a result of a helicopter crash on 21 June 2010.
15. Private Scott Palmer, 2nd Commando Regiment died as a result of a helicopter crash on 21 June 2010.
16. Private Benjamin Chuck, 2nd Commando Regiment died of wounds sustained in a helicopter crash on 21 June 2010.
17. Private Nathan Bewes, 6th Battalion, The Royal Australian Regiment was killed as a result of an Improvised Explosive Device on 9 July 2010.
18. Trooper Jason Brown, SASR, died as a result of gunshot wounds sustained in an engagement with insurgents on 13 August 2010.

19. Private Tomas Dale, 6th Battalion, The Royal Australian Regiment was killed as a result of an Improvised Explosive Device strike on 20 August 2010.
20. Private Grant Kirby, 6th Battalion, The Royal Australian Regiment was killed as a result of an Improvised Explosive Device strike on 20 August 2010.
21. Lance Corporal Jared MacKinney, 6th Battalion, The Royal Australian Regiment, was killed during an engagement with Insurgents on 24 August 2010.
22. Corporal Richard Atkinson, 1st Combat Engineer Regiment, was killed as a result of an Improvised Explosive Device strike on 2 February 2011.
23. Sapper Jamie Larcombe, 1st Combat Engineer Regiment, was killed during an engagement with insurgents on 19 February 2011.
24. Sergeant Brett Wood MG DSM, 2nd Commando Regiment, was killed by an Improvised Explosive Device during a dismounted patrol on 23 May 2011.
25. Lance Corporal Andrew Jones, 9th Force Support Battalion, died of wounds as a result of a small-arms fire incident on 30 May 2011.
26. Lieutenant Marcus Case, 6th Aviation Regiment, died of wounds sustained in a helicopter crash on 30 May 2011.
27. Sapper Rowan Robinson, Incident Response Regiment, died as a result of gunshot wounds sustained in an engagement with Insurgents on 06 June 2011.
28. Sergeant Todd Langley, 2nd Commando Regiment, was killed during an engagement with insurgents on 4 July 2011
29. Private Matthew Lambert, 2nd Battalion, The Royal Australian Regiment, died of wounds as a result of an Improvised Explosive Device strike on 22 August 2011.
30. Captain Bryce Duffy, 4th Regiment, Royal Australian Artillery, was killed as a result of a small-arms incident on 29 October 2011.
31. Corporal Ashley Birt, 6th Engineer Support Regiment, was killed as a result of a small-arms incident on 29 October 2011.
32. Lance Corporal Luke Gavin, 2nd Battalion, The Royal Australian Regiment died of wounds as a result of a small-arms incident on 29 October 2011.
33. Sergeant Blaine Flower Diddams MG, from the Special Air Service Regiment was killed during a small arms engagement with insurgents on 02 July 2012.
34. Sapper James Martin, 2nd Combat Engineer Regiment was killed as a result of a small-arms incident on 29 August 2012.
35. Lance Corporal Stjepan Milosevic, 2nd/14th Light Horse Regiment (QMI), was killed as a result of a small-arms incident on 29 August 2012.
36. Private Robert Poate, 6th Battalion, the Royal Australian Regiment was killed as a result of a small-arms incident on 29 August 2012.

37. Private Nathanael Galagher, 2nd Commando Regiment was killed in a helicopter crash on 30 August 2012.
38. Lance Corporal Mervyn McDonald, 2nd Commando Regiment was killed in a helicopter crash on 30 August 2012.
39. Corporal Scott Smith MG, Special Operations Engineer Regiment, was killed as a result of an Improvised Explosive Device on 21 October 2012.
40. Corporal Cameron Stewart Baird MG, 2nd Commando Regiment, was killed by small arms fire during an engagement with Insurgents on 22 June 2013.

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PREPARED STATEMENT OF SENATOR BARBARA A. MIKULSKI IN SUPPORT OF THE  
NOMINATION OF JOHN BERRY AS U.S. AMBASSADOR TO AUSTRALIA

Mr. President, I want to take this opportunity to congratulate Mr. John Berry on his nomination to be the next U.S. Ambassador to Australia. Hailing from Maryland and a proud alumnus of the University of Maryland, I am pleased that John has been nominated for this new and important challenge.

John began his career in public service as an intern with the Montgomery County, MD, government and later served as a legislative aide in the Maryland General Assembly. We were lucky to have him as a member of "Team Maryland" here on Capitol Hill when he joined the staff of Congressman Steny Hoyer as Legislative Director.

In 2009, we came together to confirm John as Director of the Office of Personnel Management. At OPM, he worked to reform and streamline federal hiring practices, boost veteran hiring in the Federal Government, and eliminate security clearance backlogs. I am confident we can come together to support his nomination once more.

John's career has included leadership roles at the Department of Interior, where he served as both CFO and COO. During this time, John demonstrated his commitment to serving those that he worked with. He focused on improving educational opportunities and employees' work-life balance in addition to holding townhall meetings with employees to improve working conditions. While serving at the Department of the Treasury, he oversaw essential security personnel that keep our Nation safe.

John has also been honored to serve in his dream job as Director of the National Zoo. I was impressed to find out that he even has a lion cub there named in his honor!

Australia has long been a close friend and ally of the United States. The genuine affinity and affection between our people is enhanced by our strategic interests. While I am sorry to see Ambassador Jeffrey Bleich leave his post after four productive years, I am pleased to know that John will take on the role with the same devotion. I know that he will excel in this new role. I call on my colleagues to join me in supporting his nomination as U.S. Ambassador to Australia.

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RESPONSES OF JOSEPH YUN TO QUESTIONS SUBMITTED BY SENATOR BOB CORKER

*Question.* What role does Malaysia play in the administration's rebalancing strategy? Specifically, are there areas in which the United States and Malaysia could potentially enhance security cooperation?

*Answer.* Malaysia has welcomed the renewed U.S. focus on the Asia-Pacific and is an important partner for the United States. Over the last few years, there has been a significant increase in political dialogue, including bilateral meetings between the two leaders, Cabinet-level visits, and engagement by Members of Congress with senior Malaysian officials, all of which play an important part in raising the level of our bilateral relationship. The United States has a longstanding military relationship with Malaysia, but our political, economic, and people-to-people ties are growing as well. Malaysia is also a founding member of ASEAN. It will have the ASEAN chair in 2015.

The United States has a strong military partnership with Malaysia. In October we had our first aircraft carrier visit to East Malaysia in Kota Kinabalu, and we recently completed a Cooperation Afloat Readiness and Training (CARAT) exercise. Malaysia has participated in CARAT since 1996. Malaysia also benefits from our international military education and training (IMET) programs, which have been



hugely successful and well received. The U.S. Army has also reinvigorated partnerships with the Malaysian Army, with joint training and exercises. Defense procurement is another area where we are working to expand cooperation. The Embassy is prioritizing the U.S. exports and jobs created by these important sales, which I would focus on if confirmed. I will work closely with the Government of Malaysia to continue to foster confidence and trust between our Armed Forces.

*Question.* Malaysia is a significant U.S. trading partner and site of U.S. investment. How will the United States and Malaysia specifically benefit from the successful conclusion of TPP negotiations?

*Answer.* The United States is Malaysia's fourth-largest trading partner, a change from when the United States was the top partner 10 years ago. U.S. goods exports to Malaysia fell to \$12.8 billion in 2012, from \$14.2 billion in 2011. U.S. goods imports from Malaysia increased slightly to \$25.9 billion in 2012 from \$25.7 billion in 2011. The Trans-Pacific Partnership (TPP) will provide significantly expanded market access for goods and services between the United States and Malaysia. With its high-standard rules and disciplines, the TPP will reduce barriers and help promote increased trade and investment between our two countries and with their other 10 TPP partners. The current negotiating round in Kota Kinabalu, Malaysia, is progressing well, and we expect to be closer to completion of the TPP once the round is finished on July 25. The United States has not previously concluded a free trade agreement with Malaysia.

If confirmed, I will work closely with Malaysian officials to promote the successful completion of TPP as well as to ensure its full implementation.

#### RESPONSES OF JOHN BERRY TO QUESTIONS SUBMITTED BY SENATOR BOB CORKER

*Question.* The United States and Australia enjoy a close alliance partnership. And as part of the administration's rebalancing strategy the United States has sought to strengthen the alliance, particularly our robust security cooperation. What areas of security cooperation are ripe for further engagement between Washington and Canberra?

*Answer.* Over the past six decades, the U.S.-Australia treaty alliance has served as an anchor of stability, security, and prosperity in the world. Australia has stood beside us in every major international conflict in the last century. Our bilateral defense cooperation reached new heights with the force posture initiatives announced by President Obama and then-Prime Minister Gillard in 2011, and the recent entry into force of our Defense Trade Cooperation Treaty with Australia, which will help enhance the interoperability of our Armed Forces. In January, the United States warmly welcomed Australia to its 2-year term on the U.N. Security Council, where it has focused heavily on counterterrorism and nonproliferation. Its presence on the UNSC has provided even greater opportunities for coordination on Iran, Syria, the DPRK, and other critical issues.

If confirmed, I will work diligently to further deepen our bilateral security relationship to ensure we are prepared to meet the challenges of tomorrow. Our governments both recognize the value of close collaboration with allies and like-minded nations on cyber issues, and are working together closely to address mutual threats emerging in and from cyberspace. Space is also vital to protecting the economic prosperity and national security interests of the United States, its allies, and partners, and we should expand our partnership with Australia on space situational awareness and jointly pursue transparency and confidence building measures to strengthen stability in space.

As one of the largest non-NATO troop contributors to ISAF and a major contributor of development and security assistance, Australia has been a steadfast partner in Afghanistan. If confirmed, I will work to ensure continued coordination with Australia in support of the Afghan people, so that Afghanistan will never again become a safe haven for terrorists.

Most importantly, if confirmed I will work with colleagues from the U.S. Department of Defense and our Australian partners to fully implement our force posture initiatives. The rotational presence of U.S. Marines in Darwin affords an unprecedented combined training opportunity with our Australian allies in world-class training areas. The proximity of Australia's Northern Territory to Southeast Asia and South Asia will enable our Marines to more effectively exercise and operate with Australia and other partners across the region and to respond more rapidly to a range of contingencies, deliver humanitarian assistance, and provide disaster relief. With our second rotation of 250 Marines to Darwin currently underway, our initiatives are off to a very strong start, however more work remains. If confirmed,

I will do my best to ensure full implementation of our remaining initiatives as quickly as possible.

*Question.* Australia plays a key role in Southeast Asia and the Pacific. If confirmed, will you commit to pursue opportunities to enhance cooperative engagement with Australia in Southeast Asia and the Pacific, particularly in the areas of democracy promotion, good governance and rule of law?

*Answer.* If confirmed, I will pursue opportunities to enhance cooperative engagement with Australia in Southeast Asia and the Pacific, including on democracy promotion, good governance, and the rule of law.

Standing up for human dignity abroad is directly linked to the national interests of the United States. Democracy and respect for human rights are increasingly part of the fabric of the Asia-Pacific, but many challenges remain. As part of our rebalance, the United States must continue to promote universal values, including transparency, rule of law, human rights, and good governance. We do this not only because it is the right thing to do, but also because now more than ever human rights and governance failings in countries around the world have consequences for U.S. interests—from economic and monetary policy, to climate change and national security. Across the Asia-Pacific region, the United States seeks sustained adherence to democratic practices and improved governance, as well as quality health care and education, strengthened disaster preparedness and emergency response, and increased natural resource management. These efforts will contribute to greater human security, stability, and prosperity, as well as stronger U.S. ties to the region.

Given our history of shared values, Australia is one of our closest global partners in promoting democratic reform, good governance, and the rule of law. The United States and Australia are working together to encourage Fiji to honor its commitment to make serious, sustained, inclusive, and transparent preparations for national elections by 2014 and we have reiterated our call for Fiji to protect human rights, including freedoms of expression, association, and religion. Our international aid agencies cooperate to combat disease in Southeast Asia and to promote the empowerment of women in the Pacific Islands. The United States and Australia both participate in the Voluntary Principles on Security and Human Rights Initiative and the International Code of Conduct for Private Security Service Providers, multistakeholder initiatives that guide extractive companies and private security companies on providing security in a manner that respects human rights. The United States and Australia jointly provide technical assistance to support ASEAN economic integration and APEC trade and structural reform. These are but a few examples of the efforts Australia and the United States have already undertaken cooperatively.

As exceptional as our collaboration with Australia has been to date, I believe there is even more that we can accomplish together. If confirmed, I pledge to continue supporting the strong bilateral work we are already doing, while seeking out new and different opportunities for us to collaboratively promote our shared core values in Southeast Asia and the Pacific.

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RESPONSES OF DANIEL CLUNE TO QUESTIONS SUBMITTED BY SENATOR BOB CORKER

*Question.* The recent repatriation of several young North Korean orphans from Laos to North Korea has cast a harsh spotlight on the plight of North Korean refugees. If confirmed, what steps will you undertake to encourage the Laotian Government to refrain from forcibly repatriating North Korean refugees? If confirmed, will you commit to working with the Special Envoy for North Korea Human Rights and other State Department officials to develop a coherent strategy to ensure the USG will proactively implement the North Korean Child Welfare Act of 2012? What initial elements would you propose for such a strategy?

*Answer.* If confirmed, I will continue to work closely with the Republic of Korea (ROK), the United Nations, and other countries that share our concerns about North Korean refugees and asylum seekers to encourage the Government of Laos to fulfill its international obligations and not return refugees and asylum seekers to North Korea. The human rights situation in North Korea is deplorable and returnees and their families routinely face harsh punishments. For this reason, the United States has consistently called on all countries in the region to protect North Koreans. I have met with Special Envoy for North Korean Human Rights Issues, Robert R. King, to discuss the North Korean refugees issues, and I will work closely with him and other State Department officials, including the Bureau of Population, Refugees, and Migration and the Bureau of Democracy, Human Rights, and Labor, to ensure the development of an effective strategy to meet the goals of the North Korean Child



Welfare Act of 2012. I will urge the Government of Laos to cooperate in the protection of North Korean refugees and asylum seekers and will work with the Special Envoy for North Korean Human Rights Issues to do everything that can be done to ensure the safety and welfare of refugees and asylum seekers from North Korea and give them opportunities for a better future.

*Question.* As one of the largest investors in Laos, China maintains significant leverage over Vientiane's diplomatic and political decisions. As Vientiane grows increasingly dependent upon Beijing, it has become gradually more challenging for the United States to balance its relatively small foreign assistance while simultaneously articulating U.S. values and support for basic human rights, including religious minorities. If confirmed, what steps will you propose the United States undertake to more effectively leverage our assistance to encourage Laos to pursue genuine reforms and adhere to international human rights obligations?

*Answer.* If confirmed, I will look for ways to leverage most effectively existing programs to encourage Laos to pursue genuine reforms, strengthen its judicial system, and adhere to its international human rights obligations. The State Department's Bureau of International Narcotics and Law Enforcement Affairs is providing \$300,000 annually for legal education, prosecutor training, and police prosecutor cooperation in support of the Lao Government's "Master Plan on the Development of the Rule of Law in the Lao PDR toward the Year 2020." The State Department's Bureau of Democracy, Human Rights, and Labor funds a \$500,000 program to increase the capacity of civil society organizations, a program which was recently extended, and has included Laos in regional programs addressing disability rights and religious freedom. In addition, the USAID LUNA-Lao project provides technical assistance to ministries, the National Assembly, and the judiciary to modernize laws and policies, judicial procedures, and institutional capacities in keeping with international best practice. In supporting the implementation of far-reaching trade agreements, the project not only helps stimulate economic growth but also advances the rule of law and improves governance. If confirmed, I will analyze each of these programs and seek additional funding in those areas which would most effectively promote genuine reforms and adherence to human rights obligations.