

First Deposition Released on Clinton Email Case

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U.S. Ambassador Lewis Lukens's sworn testimony in the case of Hillary Clinton's privatization of the U.S. Secretary of State's email is the first evidence to be released in the Clinton email cases, and it was published on May 26th at the website of Judicial Watch, the organization that originally brought the suit. Headlining "[First Deposition Testimony from Clinton Email Discovery Released](#)", it reported that:

Judicial Watch today released the deposition transcript of Ambassador Lewis Lukens, former deputy assistant secretary of state and executive director of the State Department's executive secretariat. The transcript is available [here](#).

Amb. Lukens was deposed last week as part of the [discovery](#) granted to Judicial Watch by U.S. District Court Judge Emmet G. Sullivan in response to its Freedom of Information Act (FOIA) lawsuit involving former Secretary of State Hillary Clinton's unsecured, non-government email system ([Judicial Watch v. U.S. Department of State](#) (No. 1:13-cv-01363)).

Lukens is the first of seven [depositions](#) of former Clinton top aides and State Department officials that Judicial Watch has scheduled over the next four weeks. Also to be deposed are Cheryl Mills and Huma Abedin, as well as top State Department official Patrick Kennedy, and former State IT employee Bryan Pagliano.

In [his testimony](#), Lukens described his State Department role:

I've been a Foreign Service officer for 27 years. I've served in Southern China; in the Ivory Coast; in Sydney, Australia; in Dublin, Ireland; in Baghdad; Vancouver, British Columbia; Dakar, Senegal; and three tours in Washington, D.C., as well as my current position in San Francisco.

While Clinton was Secretary of State, his role was heading "logistics and management support" and he had "roughly 110 employees working for me" including the "IRM" or Information Resource Management team. Also, during his questioning, he was asked "You traveled with Mrs. Clinton on all of her foreign travel?" while he was employed there, and he answered: "Yes."

Representative excerpts from his testimony will be presented here:

While Clinton's office was being prepared for her:

Q: Do you know if Mrs. Clinton — if the IRM office set up an e-mail address for Mrs. Clinton?

A: I don't believe they did.

Q: Do you know why they didn't?

A: I don't think it was asked for.

Q: Would Mrs. Clinton have — was it required for Mrs. Clinton to ask for an e-mail address for one to be assigned to her?

A: Yes.

Q: Was it unusual — at the time did you think it was unusual that Mrs. Clinton didn't want an e-mail address assigned to her?

A: No.

Q: Why not?

A: I'm not aware of former Secretaries of State having e-mail addresses on our system.

In other words: her having an e-mail address assigned to her was “required,” but the custom at the U.S. Department of State was to ignore this ‘requirement’.

Regardless of whether violating the regulations or even the law has been ignored in the past, violations are supposed to be punished or prosecuted. Prior refusal to prosecute does not constitute legal excuse for continuing refusal to prosecute: it instead constitutes a government in which some persons who are supposedly in the service of, and who are *definitely* being *paid by*, the public, are, in practice, *above* the regulations or even the laws — in other words, a dictatorship. However, this aspect of the questioning was not pursued.

Lukens then said that her violation on that matter was ignored and that a “BB” or Blackberry account was instead requested by “HRC” Hillary Rodham Clinton. Lukens’s notes indicated that he had asked HRC’s agent, “On the BB for HRC, can we chat this morning?” and “I may have thought of a workaround [to evade the State Department’s regulations] but need more info on her BB use.” He explained during this questioning of him: “So the crux of the issue was that BlackBerrys and iPhones are not allowed in the Secretary’s office suite, so the question was, how is the Secretary going to be able to check her e-mails if she’s not able to have the Blackberry at her desk with her.”

Q: And so what did you — did you propose a solution at that point?

A: So my proposal was to set up a computer on her desk, a standalone computer [not part of the State Department’s system], for her to be able to access the Internet to check her e-mails [privatized — and therefore not subject to FOIA requests or historians’ investigations].

However, Clinton’s agent insisted on a private computer also being set up “across the hall” “for her to check her BlackBerry” even though no private BlackBerry was allowed on the premises. This was to be the “workaround.”

In an email, Lukens had written, and the questioner referenced it:

Also think we should go ahead, but will await your green light, and set up a standalone PC in the Secretary’s office connected to the Internet, but not go through our system, to enable

her to check her e-mails from her desk.

That proposal was accepted and was done. Then:

Q: Do you know if this setup would have been any different from the setup of other employees?

A: Yes, this would have been different.

Q: How would it have been different?

A: My understanding is that most of the employees' computers in the State Department are connected through the State Department's OpenNet e-mail system ...

Q: So this would have been separate from the OpenNet system?

A: Correct.

He was asked why he had proposed this solution, and he said it was "For ease of access" and, "as far as I knew, there was no requirement for her to be connected to our system" (even though he had *earlier* said that her having an email address assigned to her in the State Department's system, the OpenNet system, was "required"). He said that the "ease of access" would be because of there being "fewer passwords."

He was asked whether doing things this way was necessary in order for her to be able to access the Internet from the State Department, and he said, "the Internet is available" to employees at the office, just as anywhere.

He was asked about the inconvenience of the State Department's passwords system, and he said that he eliminated her need for any passwords:

A: She wouldn't have had a password.

Q: So the computer would have just been open and be able to use without going through any security features?

A: Correct.

Though he was paid by U.S. taxpayers, apparently his only concern was to please his superiors, whom he trusted unquestioningly despite their evident *unconcern* about "security" etc.

In further questioning of Mr. Lukens, it became clear that he never gave any thought to what the purpose behind the State Department's regulations was: he didn't even notice that Hillary Clinton's buddy and top aide Huma Abedin at the Department was also using only a private email account — even though he regularly had been communicating via email with her.

There were many instances in the questioning, in which the U.S. Department of 'Justice's attorney there, Caroline Lewis Wolverton, was trying to hamper the attorney for Judicial Watch from asking questions of Mr. Lukens, such as this:

Q: At any point during these conversations or during these e-mails or others did you

find it unusual that Ms. Abedin was using a non-state.gov e-mail account?

MS. WOLVERTON: Objection. Vague.

Q: When sending these e-mails to Ms. Abedin, did you think about the fact that they were not — you were sending e-mails to her non-state.gov e-mail account?

A: Not that I recall.

Q: Thinking about it now, do you think it's — was it rare to send emails to State Department employees on another e-mail account but the one that was assigned by the State Department?

MS. WOLVERTON: Objection. Vague.

Q: Was this unusual, sending e-mail — was it unusual for you to send emails to Ms. Abedin on a non-state.gov account?

MS. WOLVERTON: Objection. Lack of foundation.

Q: During your four years, did you communicate with — sorry, during the two years of overlap, did you communicate with Ms. Abedin by e-mail?

A: Yes.

Q: Was it frequent?

A: Yes.

Q: Do you recall — during that time, did you recall sending e-mails to her state.gov e-mail account?

A: Yes.

Q: Do you recall — before receiving these exhibits, did you recall sending e-mails to a non-state.gov account?

A: No.

Q: Do you recall thinking at any point about where you were sending e-mails to Ms. Abedin?

A: No.

Q: Do you recall if Ms. Abedin ever told you what e-mail accounts to use for her?

A: No.

Q: Do you recall how you — do you know how you would have received the e-mail account that was used to send these e-mails?

MS. WOLVERTON: Objection. Lack of foundation.

Q: Do you recall — I'll ask the question again. Do you recall how you learned where to send these e-mails, or how you learned of the e-mail address that you used to send these e-mails?

A: I must have received an e-mail from her at some point from that address.

Q: So this may have been an auto fill on your BlackBerry or Outlook when you were sending these?

MS. WOLVERTON: Objection. Objection, calls for speculation.

Q: Would this — to ask the question again, was it most likely an auto fill feature or do you think you would have manually entered in her e-mail account to send her these e-mails?

MS. WOLVERTON: Same objection.

MR. BEKESHA [representing the Questioner, but now addressing the lawyer for the 'Justice' Department]: Are you instructing the witness not to answer?

MS. WOLVERTON: No.

Q: Would you like me to repeat the question?

A: Yes, please.

Q: Would this — would you have sent these e-mails using this e-mail address because of an auto fill feature on a piece of computer equipment or because you would have manually typed in her e-mail address?

MS. WOLVERTON: Same objection.

A: I would say because of the auto fill feature.

Investigative historian **Eric Zuesse** is the author, most recently, of [They're Not Even Close: The Democratic vs. Republican Economic Records, 1910-2010](#), and of [CHRIST'S VENTRILOQUISTS: The Event that Created Christianity](#).

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