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Transcript of **John Arthur Bentel**

Date: October 24, 2016

Case: Judicial Watch, Inc. -v- U.S. Department of State

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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLUMBIA

- - - - - x

JUDICIAL WATCH, INC., :

Plaintiff, :

v. : Civil Action No.

U.S. DEPARTMENT OF STATE, : 13-cv-1363 (EGS)

Defendant. :

- - - - - X

Videotaped Deposition of JOHN ARTHUR BENTEL

Washington, DC

Monday, October 24, 2016

10:01 a.m.

Job No.: 121788

Pages 1 - 37

Reported by: Debra A. Whitehead

1 Videotaped Deposition of JOHN ARTHUR BENTEL, held
2 at the offices of:

3

4 BAKER BOTTS, L.L.P.

5 The Warner

6 1299 Pennsylvania Avenue, NW

7 Washington, DC 20004-2400

8 (202) 639-7700

9

10

11 Pursuant to notice, before Debra A. Whitehead, an
12 Approved Reporter of the United States District Court
13 and Notary Public of the District of Columbia.

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A P P E A R A N C E S

ON BEHALF OF PLAINTIFF:

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20 ALSO PRESENT:

21 DEREK FOX, Video Specialist

22 THOMAS J. FITTON, President, Judicial Watch

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C O N T E N T S

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By Mr. Bekesha	7

E X H I B I T S

(None marked)

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Videotaped Deposition of John Arthur Bentel
Conducted on October 24, 2016

7

1	MR. LYNN: Jamie Lynn with Baker Botts, on	10:01:48
2	behalf of third-party deponent John Bentel.	10:01:50
3	MR. CLARK: Kyle Clark, on behalf of Baker	10:01:50
4	Botts.	10:01:54
5	MR. MYERS: Steven Myers for the State	10:01:55
6	Department and for Mr. Bentel in his official	10:01:57
7	capacity as a former State employee.	10:02:00
8	MS. BERMAN: Marcia Berman, for the State	10:02:00
9	Department.	10:02:00
10	MS. WELCHER: Alison Welcher, for the	10:02:06
11	State Department.	10:02:06
12	VIDEO SPECIALIST: The court reporter	10:02:06
13	today is Debbie Whitehead, representing Planet	10:02:07
14	Depos.	10:02:11
15	Would the reporter please swear in the	10:02:11
16	witness.	10:02:13
17	JOHN ARTHUR BENTEL,	10:02:13
18	having been duly sworn, testified as follows:	10:02:20
19	EXAMINATION BY COUNSEL FOR PLAINTIFF	10:02:20
20	BY MR. BEKESHA:	10:02:20
21	Q Good morning, Mr. Bentel.	10:02:24
22	A Good morning.	10:02:26

1 Q My name is Michael Bekesha. I'm an 10:02:26
2 attorney for Judicial Watch, and I'm here to ask you 10:02:28
3 some questions about one of Judicial Watch's Freedom 10:02:32
4 of Information Act lawsuits against the State 10:02:34
5 Department. Specifically, questions surrounding the 10:02:35
6 creation, purpose, and use of the Clinton e-mail.com 10:02:37
7 system by then Secretary of State Hillary Clinton 10:02:40
8 and Huma Abedin to conduct official government 10:02:43
9 business. 10:02:46
10 Before we begin, could you please state 10:02:47
11 and spell your full name, for the record. 10:02:49
12 A Full name is John Arthur Bentel. It's 10:02:51
13 spelled J-O-H-N. Arthur is A-R-T-H-U-R. Bentel, 10:02:54
14 B-E-N-T-E-L. 10:03:00
15 Q Thank you. Also before we begin, I would 10:03:02
16 like to just go over a few ground rules. Your 10:03:04
17 counsel might have already talked to you about them, 10:03:06
18 but these rules will help the deposition go a little 10:03:08
19 bit more smoothly. 10:03:10
20 If you don't hear one of my questions, 10:03:12
21 please let me know, and I'll be happy to repeat it. 10:03:14
22 If you don't understand one of my questions, also 10:03:16

1 please let me know, and I can try to make myself 10:03:19
2 clearer. 10:03:22

3 It is also important that you respond out 10:03:22
4 loud, as opposed to shaking your head or even 10:03:24
5 gestures, because the court reporter cannot record 10:03:27
6 those sorts of things. 10:03:30

7 Finally, it is important that you wait 10:03:31
8 until I'm done speaking, asking my question. If 10:03:33
9 your counsel or the State Department's attorney 10:03:36
10 makes any objections, wait until they're done 10:03:38
11 objecting. The court reporter can't get -- get 10:03:41
12 responses down if everybody is speaking at once. 10:03:46

13 With that out of the way, when did you 10:03:48
14 become Director of the Executive Secretariat 10:03:50
15 Information Resource Management? 10:03:53

16 A On advice from my legal counsel, I decline 10:03:58
17 to answer that question and I invoke my Fifth 10:04:01
18 Amendment rights. 10:04:05

19 Q Okay. And prior to becoming director, you 10:04:05
20 were deputy director. Correct? 10:04:08

21 A On advice from my legal counsel, I decline 10:04:15
22 to answer that question and invoke my Fifth 10:04:19

1	Amendment rights.	10:04:24
2	Q The Executive Secretariat Information	10:04:24
3	Resource Management is common -- commonly referred	10:04:26
4	to as S/ES-IRM. Correct?	10:04:28
5	A On advice from my legal counsel, I decline	10:04:35
6	to answer that question and I invoke my Fifth	10:04:38
7	Amendment rights.	10:04:43
8	Q What is the role of S/ES-IRM at the State	10:04:43
9	Department?	10:04:47
10	A On advice from my legal counsel, I decline	10:04:48
11	to answer that question and I invoke my Fifth	10:04:50
12	Amendment rights.	10:04:54
13	Q How many staff reported to you?	10:04:54
14	A On advice from my legal counsel, I decline	10:04:58
15	to answer that question and I invoke my Fifth	10:05:01
16	Amendment rights.	10:05:04
17	Q And who did you report to?	10:05:04
18	A On advice from my legal counsel, I decline	10:05:09
19	to answer that question and I invoke my Fifth	10:05:12
20	Amendment rights.	10:05:15
21	Q Is it fair to say that your most important	10:05:15
22	client was the Secretary of State?	10:05:18

1	A	On advice from my legal counsel, I decline	10:05:21
2		to answer that question and I invoke my Fifth	10:05:24
3		Amendment rights.	10:05:27
4	Q	From S/ES-IRM's perspective, when did	10:05:27
5		Secretary Clinton's transition begin?	10:05:33
6	A	On advice from my legal counsel, I decline	10:05:35
7		to answer that question and I invoke my Fifth	10:05:37
8		Amendment rights.	10:05:41
9	Q	And what was your involvement in the	10:05:41
10		transition?	10:05:44
11	A	On advice from my legal counsel, I decline	10:05:45
12		to answer that question and I invoke my Fifth	10:05:47
13		Amendment rights.	10:05:51
14	Q	And what was S/ES-IRM's involvement in the	10:05:51
15		transition?	10:05:55
16	A	On advice from my legal counsel, I decline	10:05:57
17		to answer that question and I invoke my Fifth	10:05:59
18		Amendment rights.	10:06:02
19	Q	While you were director, were employees	10:06:02
20		required to request an e-mail address when they	10:06:06
21		began their employment at the State Department?	10:06:09
22	A	On advice from my legal counsel, I decline	10:06:12

1 to answer the question and I invoke my Fifth 10:06:14

2 Amendment rights. 10:06:19

3 Q Of whom specifically did employees request 10:06:20

4 e-mail addresses from? 10:06:23

5 A On advice from my legal counsel, I decline 10:06:25

6 to answer that question and I invoke my Fifth 10:06:27

7 Amendment rights. 10:06:30

8 Q Either during her trans -- during her 10:06:30

9 transition, did Mrs. Clinton or any of her staff or 10:06:35

10 representatives request an e-mail address from the 10:06:38

11 State Department? 10:06:40

12 A On advice from my legal counsel, I decline 10:06:42

13 to answer that question and I invoke my Fifth 10:06:45

14 Amendment rights. 10:06:48

15 Q Did you or any of your staff ask Secretary 10:06:48

16 Clinton or any of her staff or representatives 10:06:53

17 whether she wanted an e-mail address? 10:06:55

18 MR. MYERS: Objection. Foundation. 10:06:59

19 Compound. 10:07:00

20 Q You may answer the question. 10:07:01

21 A On advice from my legal counsel, I decline 10:07:04

22 to answer that question and I invoke my Fifth 10:07:06

1 Amendment rights. 10:07:11

2 Q During this period did you or your staff 10:07:11

3 ask Secretary Clinton or any of her staff or 10:07:13

4 representatives whether she was planning to use 10:07:16

5 e-mail to conduct official government business? 10:07:19

6 MR. MYERS: Objection. Vague and 10:07:22

7 compound. 10:07:23

8 Q You may answer the question. 10:07:24

9 A On advice from my legal counsel, I decline 10:07:26

10 to answer that question and I invoke my Fifth 10:07:28

11 Amendment rights. 10:07:34

12 Q During this period did you or your staff 10:07:34

13 ask Secretary Clinton or any of her staff or 10:07:36

14 representatives whether she was planning to use 10:07:38

15 e-mail to communicate with State Department 10:07:42

16 employees? 10:07:43

17 MR. MYERS: Objection. Vague and 10:07:44

18 compound. 10:07:46

19 Q You may answer the question. 10:07:47

20 A On advice from my legal counsel, I decline 10:07:48

21 to answer that question and I invoke my Fifth 10:07:51

22 Amendment rights. 10:07:55

1 Q At any point during Mrs. Clinton's tenure, 10:07:55
2 did you speak to anyone at the State Department 10:08:00
3 about Secretary Clinton's use of e-mail? 10:08:03

4 A On advice from my legal counsel, I decline 10:08:06
5 to answer that question and I invoke my Fifth 10:08:08
6 Amendment rights. 10:08:12

7 Q Do you know Lee Purcell? 10:08:12

8 A On advice from my legal counsel, I decline 10:08:17
9 to answer that question and I invoke my Fifth 10:08:19
10 Amendment rights. 10:08:22

11 Q Do you recall receiving a memo from 10:08:22
12 Mr. Purcell entitled, Secretary Residential 10:08:26
13 Installation Hot Wash? 10:08:29

14 A On advice from my legal counsel, I decline 10:08:31
15 to answer the question and I invoke my Fifth 10:08:34
16 Amendment rights. 10:08:37

17 Q This memorandum refers to a server located 10:08:38
18 in the basement telephone closet. Do you know what 10:08:41
19 this is in reference to? 10:08:44

20 MR. MYERS: Objection. Vague. 10:08:46

21 Q You may answer the question. 10:08:48

22 A On advice from my legal counsel, I decline 10:08:50

1 to answer the question and I invoke my Fifth 10:08:52

2 Amendment rights. 10:08:54

3 Q Did you at any point know what the 10:08:55

4 reference to "server located in the basement 10:09:01

5 telephone closet" was? 10:09:04

6 A On advice from my legal counsel, I decline 10:09:07

7 to answer the question and I invoke my Fifth 10:09:09

8 Amendment rights. 10:09:12

9 Q Did you speak to Mr. Purcell or anyone 10:09:13

10 else about this memo? 10:09:16

11 A On advice from my legal counsel, I decline 10:09:18

12 to answer the question and I invoke my Fifth 10:09:20

13 Amendment rights. 10:09:23

14 Q Did you speak -- did you ask anyone at the 10:09:23

15 State Department about the server? 10:09:27

16 A On advice from my legal counsel, I decline 10:09:30

17 to answer the question and I invoke my Fifth 10:09:32

18 Amendment rights. 10:09:36

19 Q Was Secretary Clinton ever assigned an 10:09:36

20 e-mail address? 10:09:40

21 A On advice from my legal counsel, I decline 10:09:42

22 to answer the question and I invoke my Fifth 10:09:44

1	Amendment rights.	10:09:48
2	Q Was Secretary Clinton using e-mail to	10:09:48
3	conduct official government business?	10:09:52
4	MR. MYERS: Objection. Foundation.	10:09:54
5	Q You may answer the question.	10:09:56
6	A On advice from my legal counsel, I decline	10:09:58
7	to answer the question and I invoke my Fifth	10:10:02
8	Amendment rights.	10:10:05
9	Q Was Secretary Clinton using e-mail to	10:10:05
10	communicate with State Department employees?	10:10:09
11	MR. MYERS: Objection. Foundation.	10:10:12
12	Q You may answer the question.	10:10:13
13	A On advice from my legal counsel, I decline	10:10:16
14	to answer the question and I invoke my Fifth	10:10:18
15	Amendment rights.	10:10:21
16	Q At any point during Secretary Clinton's	10:10:22
17	tenure, did you ask anyone whether Secretary Clinton	10:10:26
18	was using e-mail to conduct official government	10:10:28
19	business?	10:10:31
20	A On advice from my legal counsel, I decline	10:10:32
21	to answer that question and I invoke my Fifth	10:10:34
22	Amendment rights.	10:10:38

1 Q At any point in Mrs. -- in Secretary 10:10:39
2 Clinton's tenure, did you ask anyone whether 10:10:42
3 Secretary Clinton was using a BlackBerry to conduct 10:10:44
4 official government business? 10:10:47

5 A On advice from my legal counsel, I decline 10:10:49
6 to answer the question and I invoke my Fifth 10:10:52
7 Amendment rights. 10:10:55

8 Q At any point in Secretary Clinton's 10:10:55
9 tenure, did you discuss with anyone at the State 10:10:58
10 Department whether Secretary Clinton was using 10:11:00
11 e-mail to conduct official government business? 10:11:02

12 A On advice from my legal counsel, I decline 10:11:05
13 to answer the question and I invoke my Fifth 10:11:08
14 Amendment rights. 10:11:10

15 Q At any point in Secretary Clinton's 10:11:11
16 tenure, did you discuss with anyone at the State 10:11:14
17 Department whether Secretary Clinton was using a 10:11:17
18 BlackBerry to conduct official government business? 10:11:18

19 A On advice from my legal counsel, I decline 10:11:21
20 to answer the question and I invoke my Fifth 10:11:24
21 Amendment rights. 10:11:27

22 Q Do you know Christopher Butzgy? 10:11:28

1	A	On advice from my legal counsel, I decline	10:11:32
2		to answer the question and I invoke my Fifth	10:11:34
3		Amendment rights.	10:11:37
4	Q	Did Mr. Butzgy report to you?	10:11:37
5	A	On advice from my legal counsel, I decline	10:11:42
6		to answer the question and I invoke my Fifth	10:11:44
7		Amendment rights.	10:11:47
8	Q	Did Mr. Butzgy ever discuss Secretary	10:11:47
9		Clinton's use of e-mail with you?	10:11:52
10	A	On advice from my legal counsel, I decline	10:11:54
11		to answer the question and I invoke my Fifth	10:11:57
12		Amendment rights.	10:12:01
13	Q	Did Mr. Butzgy on or about February 27,	10:12:01
14		2010, discuss with you a service request he received	10:12:06
15		related to Secretary Clinton's e-mail?	10:12:10
16	A	On advice from my legal counsel, I decline	10:12:13
17		to answer the question and I invoke my Fifth	10:12:15
18		Amendment rights.	10:12:18
19	Q	Did Mr. Butzgy on or about February 27,	10:12:19
20		2010, discuss with you a service request he received	10:12:23
21		related to the e-mail address	10:12:27
22		HDR22@Clintonemail.com?	10:12:33

1	A	On advice from my legal counsel, I decline	10:12:33
2		to answer the question and I invoke my Fifth	10:12:36
3		Amendment rights.	10:12:39
4	Q	Did you discuss with anyone at the State	10:12:39
5		Department a service request Mr. Butzgy received	10:12:42
6		related to Secretary Clinton's use of e-mail?	10:12:45
7	A	On advice from my legal counsel, I decline	10:12:49
8		to answer the question and I invoke my Fifth	10:12:53
9		Amendment rights.	10:12:55
10	Q	Did you discuss with anyone at the State	10:12:55
11		Department a service request Mr. Butzgy received	10:12:59
12		related to the e-mail address	10:13:03
13		HDR22@Clintonemail.com?	10:13:07
14	A	On advice from my legal counsel, I decline	10:13:07
15		to answer the question and I invoke my Fifth	10:13:10
16		Amendment rights.	10:13:13
17	Q	Do you know who Cindy Almodovar is?	10:13:14
18	A	On advice from my legal counsel, I decline	10:13:20
19		to answer the question and I invoke my Fifth	10:13:22
20		Amendment rights.	10:13:25
21	Q	Did Ms. Almodovar report to you?	10:13:26
22	A	On advice from my legal counsel, I decline	10:13:30

1 to answer the question and I invoke my Fifth 10:13:32

2 Amendment rights. 10:13:36

3 Q On or about December 17th, 2010, did you 10:13:36

4 receive an e-mail from Ms. Almodovar concerning 10:13:48

5 Secretary Clinton's e-mail difficulties? 10:13:51

6 A On advice from my legal counsel, I decline 10:13:54

7 to answer the question and I invoke my Fifth 10:13:57

8 Amendment rights. 10:14:00

9 Q Are you part of the SES-IRM_tech list 10:14:00

10 serve? 10:14:11

11 A On advice from my legal counsel, I decline 10:14:12

12 to answer the question and I invoke my Fifth 10:14:15

13 Amendment rights. 10:14:19

14 Q Were you part of the SES-IRM_FO-MGT list 10:14:19

15 serve or e-mail group? 10:14:27

16 A On advice from my legal counsel, I decline 10:14:29

17 to answer the question and I invoke my Fifth 10:14:31

18 Amendment rights. 10:14:35

19 Q In an e-mail dated December 17, 2010, 10:14:35

20 Ms. Almodovar stated, "I have a contact with the at 10:14:43

21 Clinton e-mail site. His name is Bryan Pagliano and 10:14:47

22 he actually now works for State, but he apparently 10:14:51

1	set all of this up."	10:14:54
2	Did you ever discuss this e-mail with	10:14:56
3	Ms. Almodovar?	10:14:59
4	A On advice from my legal counsel, I decline	10:15:02
5	to answer the question and I invoke my Fifth	10:15:05
6	Amendment rights.	10:15:08
7	Q Did you discuss this e-mail with anyone at	10:15:08
8	the State Department?	10:15:11
9	A On advice from my legal counsel, I decline	10:15:13
10	to answer the question and I invoke my Fifth	10:15:16
11	Amendment rights.	10:15:19
12	Q What did you think when you read this	10:15:19
13	e-mail?	10:15:21
14	A On advice from my legal counsel, I decline	10:15:22
15	to answer the question and I invoke my Fifth	10:15:25
16	Amendment rights.	10:15:29
17	Q Did you discuss with anyone at the State	10:15:29
18	Department in December 2010 changing anti-phishing	10:15:32
19	filters to enable the State Department e-mail to be	10:15:36
20	sent to or received by Clintonemail.com?	10:15:39
21	A On advice from my legal counsel, I decline	10:15:42
22	to answer the question and I invoke my Fifth	10:15:46

1	Amendment rights.	10:15:49
2	Q In August 2011 did Secretary Clinton	10:15:49
3	decide to use a State Department BlackBerry and	10:15:53
4	e-mail account to e-mail with State Department	10:15:56
5	employees?	10:15:58
6	A On advice from my legal counsel, I decline	10:15:59
7	to answer the question and I invoke my Fifth	10:16:02
8	Amendment rights.	10:16:05
9	Q In response to an e-mail from Monica	10:16:05
10	Hanley on August 30th, 2011, you wrote, "We actually	10:16:09
11	have an account previously set up, SSHRC@State.gov.	10:16:13
12	There are some old e-mails, but none since January	10:16:19
13	2011. We could get rid of them."	10:16:22
14	What was the e-mail address	10:16:25
15	SSHRC@State.gov that you reference in that e-mail?	10:16:28
16	MR. MYERS: Objection. Vague.	10:16:32
17	Q You may answer the question.	10:16:33
18	A On advice from my legal counsel, I decline	10:16:35
19	to answer the question and I invoke my Fifth	10:16:38
20	Amendment rights.	10:16:42
21	Q When was the SSHRC@State.gov e-mail	10:16:43
22	account created?	10:16:48

1	A	On advice from my legal counsel, I decline	10:16:48
2		to answer the question and I invoke my Fifth	10:16:51
3		Amendment rights.	10:16:54
4	Q	Why was that e-mail address created?	10:16:54
5	A	On advice from my legal counsel, I decline	10:16:58
6		to answer the question and I invoke my Fifth	10:17:01
7		Amendment rights.	10:17:04
8	Q	Was that e-mail account ever used?	10:17:04
9	A	On advice from my legal counsel, I decline	10:17:07
10		to answer the question and I invoke my Fifth	10:17:11
11		Amendment rights.	10:17:14
12	Q	What were those old e-mails in that e-mail	10:17:14
13		account?	10:17:17
14	A	On advice from my legal counsel, I decline	10:17:19
15		to answer the question and I invoke my Fifth	10:17:22
16		Amendment rights.	10:17:25
17	Q	In that August 30th, 2011, e-mail, you	10:17:25
18		also wrote, "You should be aware that any e-mail	10:17:29
19		would go through the department's infrastructure and	10:17:32
20		subject to FOIA searches."	10:17:35
21		What did you mean by that?	10:17:37
22	A	On advice from my legal counsel, I decline	10:17:38

1 to answer the question and I invoke my Fifth 10:17:41

2 Amendment rights. 10:17:44

3 Q Why did you inform Ms. Hanley that the 10:17:44

4 e-mail would be subject to FOIA? 10:17:47

5 A On advice from my legal counsel, I decline 10:17:50

6 to answer the question and I invoke my Fifth 10:17:53

7 Amendment rights. 10:17:56

8 Q Why did you think that Ms. Hanley needed 10:17:56

9 to be made aware of that? 10:17:59

10 A On advice from my legal counsel, I decline 10:18:02

11 to answer the question and I invoke my Fifth 10:18:05

12 Amendment rights. 10:18:08

13 Q You concluded that August 30th, 2011, 10:18:08

14 e-mail with, "Let me know if any questions and what 10:18:13

15 you would like us to do." 10:18:17

16 What did you mean by that? 10:18:19

17 A On advice from my legal counsel, I decline 10:18:20

18 to answer the question and I invoke my Fifth 10:18:23

19 Amendment rights. 10:18:26

20 Q Did you have any followup conversations 10:18:26

21 with Ms. Hanley? 10:18:29

22 A On advice from my legal counsel, I decline 10:18:31

1	to answer the question and I invoke my Fifth	10:18:35
2	Amendment rights.	10:18:37
3	Q Did you discuss this issue with anyone at	10:18:37
4	the State Department?	10:18:41
5	MR. MYERS: Objection. Vague.	10:18:42
6	Q You may answer the question.	10:18:43
7	A On advice from my legal counsel, I decline	10:18:46
8	to answer the question and I invoke my Fifth	10:18:48
9	Amendment rights.	10:18:52
10	Q Were any action items taken after this	10:18:52
11	e-mail conversation?	10:18:57
12	MR. MYERS: Objection. Vague.	10:18:59
13	Q You may answer the question.	10:19:00
14	A On advice from my legal counsel, I decline	10:19:02
15	to answer the question and I invoke my Fifth	10:19:06
16	Amendment rights.	10:19:08
17	Q As S/ES-IRM director, what were your	10:19:08
18	responsibilities with respect to the Freedom of	10:19:13
19	Information Act?	10:19:16
20	A On advice from my legal counsel, I decline	10:19:17
21	to answer the question and I invoke my Fifth	10:19:19
22	Amendment rights.	10:19:22

1 Q What were the responsibilities of your 10:19:23
2 office with respect to the Freedom of Information 10:19:26
3 Act? 10:19:28

4 A On advice from my legal counsel, I decline 10:19:29
5 to answer the question and I invoke my Fifth 10:19:32
6 Amendment rights. 10:19:35

7 Q Were you ever asked to help facilitate the 10:19:35
8 search of Secretary Clinton's e-mails in response to 10:19:38
9 a FOIA request? 10:19:41

10 A On advice from my legal counsel, I decline 10:19:43
11 to answer the question and I invoke my Fifth 10:19:45
12 Amendment rights. 10:19:48

13 Q Did the State Department receive FOIA 10:19:48
14 requests for Secretary Clinton's e-mail? 10:19:52

15 MR. MYERS: Objection. Foundation. 10:19:54

16 Q You may answer the question. 10:19:56

17 A On advice from my legal counsel, I decline 10:19:58
18 to answer the question and I invoke my Fifth 10:20:01
19 Amendment rights. 10:20:03

20 Q Do you know Clarence Finney? 10:20:03

21 A On advice from my legal counsel, I decline 10:20:07
22 to answer the question and I invoke my Fifth 10:20:09

1	Amendment rights.	10:20:13
2	Q Did you ever speak to Mr. Finney about	10:20:13
3	Mrs. Clinton's use of e-mail to conduct official	10:20:17
4	government business?	10:20:21
5	A On advice from my legal counsel, I decline	10:20:22
6	to answer the question and I invoke my Fifth	10:20:25
7	Amendment rights.	10:20:30
8	Q Did you ever speak to Mr. Finney about	10:20:31
9	Mrs. Clinton -- about Secretary Clinton's use of a	10:20:35
10	BlackBerry to conduct official government business?	10:20:38
11	A On advice from my legal counsel, I decline	10:20:41
12	to answer the question and I invoke my Fifth	10:20:44
13	Amendment rights.	10:20:46
14	Q Did Mr. Finney ever ask you whether	10:20:47
15	Secretary Clinton had or was using a State	10:20:51
16	Department e-mail account?	10:20:54
17	A On advice from my legal counsel, I decline	10:20:56
18	to answer the question and I invoke my Fifth	10:20:59
19	Amendment rights.	10:21:02
20	Q Did Mr. Finney ever ask you whether	10:21:02
21	Secretary Clinton had or was using a State	10:21:05
22	Department BlackBerry?	10:21:08

1	A	On advice from my legal counsel, I decline	10:21:09
2		to answer the question and I invoke my Fifth	10:21:12
3		Amendment rights.	10:21:15
4	Q	Did Mr. Finney ever ask any of your staff	10:21:15
5		whether Secretary Clinton had or was using a State	10:21:20
6		Department e-mail account?	10:21:23
7		MR. MYERS: Objection. Foundation.	10:21:25
8	Q	You may answer the question.	10:21:26
9	A	On advice from my legal counsel, I decline	10:21:28
10		to answer the question and I invoke my Fifth	10:21:31
11		Amendment rights.	10:21:34
12	Q	Did Mr. Finney ever ask any of your staff	10:21:35
13		whether Secretary Clinton had or was using a State	10:21:38
14		Department BlackBerry?	10:21:42
15		MR. MYERS: Objection. Foundation.	10:21:43
16	Q	You may answer the question.	10:21:44
17	A	On advice from my legal counsel, I decline	10:21:46
18		to answer the question and I invoke my Fifth	10:21:49
19		Amendment rights.	10:21:52
20	Q	Do you know Bryan Pagliano?	10:21:52
21	A	On advice from my legal counsel, I decline	10:21:56
22		to answer the question and I invoke my Fifth	10:21:59

1	Amendment rights.	10:22:02
2	Q How do you know Mr. Pagliano?	10:22:02
3	A On advice from my legal counsel, I decline	10:22:06
4	to answer the question and I invoke my Fifth	10:22:08
5	Amendment rights.	10:22:11
6	Q Did you ever speak with Mr. Pagliano about	10:22:11
7	Secretarys Clinton -- Secretary Clinton's use of	10:22:22
8	e-mail?	10:22:25
9	A On advice from my legal counsel, I decline	10:22:26
10	to answer the question and I invoke my Fifth	10:22:29
11	Amendment rights.	10:22:33
12	Q In late 2010 did two S/ES-IRM staff	10:22:33
13	discuss with you concerns about Secretary Clinton's	10:22:40
14	use of a personal e-mail account?	10:22:42
15	A On advice from my legal counsel, I decline	10:22:44
16	to answer the question and I invoke my Fifth	10:22:47
17	Amendment rights.	10:22:50
18	Q Did a staff member raise concerns that	10:22:50
19	information sent and received on Secretary Clinton's	10:22:54
20	account could contain federal records that needed to	10:22:57
21	be preserved in order to satisfy federal	10:23:00
22	record-keeping requirements?	10:23:03

1	A	On advice from my legal counsel, I decline	10:23:05
2		to answer the question and I invoke my Fifth	10:23:07
3		Amendment rights.	10:23:10
4	Q	At any time did you tell a staff member	10:23:11
5		that Secretary Clinton's personal system had been	10:23:14
6		reviewed and approved by State Department legal	10:23:17
7		staff and that the matter should not be discussed	10:23:19
8		any further?	10:23:22
9	A	On advice from my legal counsel, I decline	10:23:23
10		to answer the question and I invoke my Fifth	10:23:26
11		Amendment rights.	10:23:29
12	Q	Was Secretary Clinton's e-mail usage	10:23:29
13		approved by the State Department's legal staff?	10:23:34
14	A	On advice from my legal counsel, I decline	10:23:38
15		to answer the question and I invoke my Fifth	10:23:42
16		Amendment rights.	10:23:46
17	Q	At any time did you tell a staff member	10:23:46
18		that the mission of S/ES-IRM is to support the	10:23:50
19		Secretary and instruct the staff member never to	10:23:54
20		speak of the Secretary's personal e-mail system	10:23:56
21		again?	10:23:59
22	A	On advice from my legal counsel, I decline	10:24:00

1 to answer the question and I invoke my Fifth 10:24:03

2 Amendment rights. 10:24:06

3 Q Why did you tell the staff member never to 10:24:06

4 speak of the e-mail system again? 10:24:09

5 MR. MYERS: Objection. Foundation. 10:24:12

6 Q You may answer the question. 10:24:13

7 A On advice from my legal counsel, I decline 10:24:14

8 to answer the question and I invoke my Fifth 10:24:17

9 Amendment rights. 10:24:20

10 Q According to the FBI, you stated that you 10:24:20

11 knew that Secretary Clinton had a personal e-mail 10:24:23

12 account but that you did not know she was using it 10:24:26

13 for work-related matters. 10:24:29

14 How do you know she had a personal e-mail 10:24:30

15 account? 10:24:32

16 A On advice from my legal counsel, I decline 10:24:34

17 to answer the question and I invoke my Fifth 10:24:36

18 Amendment rights. 10:24:39

19 Q When did you learn that Secretary Clinton 10:24:40

20 had a personal e-mail account? 10:24:43

21 MR. MYERS: Objection. Foundation. 10:24:45

22 Q You may answer the question. 10:24:47

1	A	On advice from my legal counsel, I decline	10:24:48
2		to answer the question and I invoke my Fifth	10:24:53
3		Amendment rights.	10:24:56
4	Q	What were you told about Secretary	10:24:56
5		Clinton's personal e-mail account?	10:25:00
6		MR. MYERS: Objection. Vague.	10:25:05
7	Q	You may answer the question.	10:25:07
8	A	On advice from my legal counsel, I decline	10:25:08
9		to answer the question and I invoke my Fifth	10:25:10
10		Amendment rights.	10:25:13
11	Q	Why did you think Secretary Clinton was	10:25:13
12		not using her e-mail account for work-related	10:25:16
13		matters?	10:25:20
14		MR. MYERS: Objection. Foundation.	10:25:21
15	Q	You may answer the question.	10:25:22
16	A	On advice from my legal counsel, I decline	10:25:24
17		to answer the question and I invoke my Fifth	10:25:26
18		Amendment rights.	10:25:29
19	Q	Did you know that Secretary Clinton was	10:25:29
20		e-mailing State Department employees from her e-mail	10:25:32
21		address?	10:25:35
22	A	On advice from my legal counsel, I decline	10:25:36

1 to answer the question and I invoke my Fifth 10:25:39
2 Amendment rights. 10:25:43

3 Q As the director of the IT services for the 10:25:43
4 principals of the State Department, were you not 10:25:48
5 consulted in any way regarding her use of a personal 10:25:51
6 e-mail account for official business? 10:25:54

7 MR. MYERS: Objection. Vague. 10:25:56

8 Q You may answer the question. 10:25:58

9 A On advice from my legal counsel, I decline 10:26:00
10 to answer the question and I invoke my Fifth 10:26:03
11 Amendment rights. 10:26:05

12 Q Do you have any knowledge of anyone at the 10:26:06
13 State Department who was aware that she exclusively 10:26:09
14 was using a personal e-mail account during her 10:26:13
15 tenure? 10:26:16

16 A On advice from my legal counsel, I decline 10:26:17
17 to answer the question and I invoke my Fifth 10:26:20
18 Amendment rights. 10:26:24

19 Q Did you ever communicate with Secretary 10:26:24
20 Clinton via e-mail? 10:26:27

21 A On advice from my legal counsel, I decline 10:26:29
22 to answer the question and I invoke my Fifth 10:26:32

1 Amendment rights. 10:26:35

2 Q Why did you retire? 10:26:35

3 MR. MYERS: Objection. Beyond the scope 10:26:39

4 of authorized discovery. 10:26:42

5 Q You may answer. 10:26:43

6 MR. LYNN: I'll second the objection and 10:26:43

7 instruct the witness not to answer. 10:26:46

8 A I'll follow the advice. 10:26:47

9 Q Are you currently employed? 10:26:48

10 MR. MYERS: Objection. Beyond the scope 10:26:50

11 of authorized discovery. 10:26:51

12 MR. LYNN: I'll second the objection and 10:26:52

13 instruct the witness not to answer. 10:26:54

14 Q Has Secretary Clinton or anyone associated 10:26:56

15 with her offered you any future employment? 10:26:59

16 MR. MYERS: Objection. Beyond the scope 10:27:02

17 of authorized discovery. 10:27:03

18 MR. LYNN: I'll second the objection and 10:27:04

19 instruct the witness not to answer. 10:27:06

20 Q Is Secretary Clinton or anyone or entity 10:27:08

21 associated with her paying your legal bills related 10:27:10

22 to this matter or any other matters concerning her 10:27:14

1 e-mail usage at the State Department? 10:27:17

2 MR. MYERS: Objection. Beyond the scope 10:27:19
3 of authorized discovery. 10:27:21

4 MR. LYNN: Seconded, and I instruct the 10:27:22
5 witness not to answer. 10:27:23

6 Q Has Secretary Clinton or anyone or entity 10:27:25
7 associated with her provided you with any financial 10:27:28
8 incentives related to this matter or any other 10:27:30
9 matters concerning her e-mail usage at the State 10:27:33
10 Department? 10:27:36

11 MR. MYERS: Objection. Beyond the scope 10:27:37
12 of authorized discovery. 10:27:38

13 MR. LYNN: Seconded, and I'll instruct the 10:27:39
14 witness not to answer. 10:27:41

15 Q When was the last time you spoke with 10:27:42
16 Secretary Clinton? 10:27:44

17 MR. MYERS: Objection as to scope. 10:27:45

18 MR. LYNN: Seconded. I'll instruct the 10:27:46
19 witness not to answer. 10:27:48

20 Q When was the last time you spoke with 10:27:49
21 Ms. Abedin? 10:27:51

22 MR. MYERS: Same objection. 10:27:52

1 MR. LYNN: Seconded. I'll instruct the 10:27:53
2 witness not to answer. 10:27:54
3 Q When was the last time you spoke with 10:27:56
4 Ms. Mills? 10:27:58
5 MR. MYERS: Same objection. 10:27:59
6 MR. LYNN: I'll second the objection and 10:28:00
7 instruct the witness not to answer. 10:28:02
8 MR. BEKESHA: Why don't we take about a 10:28:07
9 five-minute break. 10:28:08
10 VIDEO SPECIALIST: We are going off the 10:28:09
11 record. The time is 10:28. 10:28:10
12 (A recess was taken.) 10:28:12
13 VIDEO SPECIALIST: We are back on the 10:32:55
14 record. The time is 10:33. 10:33:03
15 MR. BEKESHA: I have no more questions. 10:33:07
16 MR. LYNN: No questions from this side. 10:33:10
17 VIDEO SPECIALIST: This marks the end of 10:33:11
18 the deposition of John A. Bentel. We are going off 10:33:13
19 the record at 10:33. 10:33:16
20 (Off the record at 10:33 a.m.)
21
22

1 CERTIFICATE OF SHORTHAND REPORTER - NOTARY PUBLIC

2 I, Debra Ann Whitehead, the officer before whom
3 the foregoing deposition was taken, do hereby
4 certify that the foregoing transcript is a true and
5 correct record of the testimony given; that said
6 testimony was taken by me stenographically and
7 thereafter reduced to typewriting under my
8 direction; that reading and signing was not
9 requested; and that I am neither counsel for,
10 related to, nor employed by any of the parties to
11 this case and have no interest, financial or
12 otherwise, in its outcome.

13 IN WITNESS WHEREOF, I have hereunto set my hand and
14 affixed my notarial seal this 24th day of October,
15 2016.

16
17 My commission expires:

18 September 14, 2018



19
20 Debra A. Whitehead

21 NOTARY PUBLIC IN AND FOR THE

22 DISTRICT OF COLUMBIA

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