

APPENDIX 1

DESCRIPTION OF OIC LIST RECONSTRUCTION METHODOLOGY

The OIC concluded that if it could devise a methodology to recreate, with a high degree of accuracy, the portion of the actual list produced by OPS, the same reconstruction methodology would also produce, with the same degree of accuracy, the missing portion of the list. That list could then be compared to the list of background reports actually obtained by Mr. Marceca to identify any patterns in the order in which the reports were requested. For example, the OIC would be able to use the reconstructed list to determine whether Mr. Marceca's requests simply followed the list alphabetically or whether he selectively identified individuals for requests. With the benefit of that analysis, a considered judgment could then be rendered as to Mr. Marceca's intent.

1. Methodology Used to Identify Names for Reconstructed List

Using other lists provided by the Secret Service from the WAVES and E-PASS systems,¹ the OIC recreated the June 10, 1993

¹ The E-PASS (Electronic Pass Access Security System) is an electronic access control mechanism in place at the White House. It operates by scanning the badges issued to White House employees which they "wave" as they move through badge readers located at various points of entry and exit within the complex. White House staffers who have received clearance after a background investigation are issued a "hard" (i.e., permanent) badge for daily entry and exit to the complex. The WAVES system (White House Access and Visitor Entry System) is a security system for controlling access to the White House complex by visitors. Both systems electronically reference a pass holder access list to determine the validity of a request for access. The E-PASS system checks against the pass holder access list to

list with better than 99 percent accuracy. Essentially, the OIC used other lists that the Secret Service retained on back up systems and applied various control factors, such as record changes and actual entry dates, that would cause a person to be included or excluded from the list as of June 10, 1993.

First, the OIC included any individual who appeared on a May 2, 1993 WAVES list identified as "WAV058BS active passholder printout." Any person on that list of active passholders would have appeared on the June 10, 1993 list as either active or inactive.

Second, the OIC included any person who appeared on the December, 1994, WHOP printout, entitled "EXCLUSIVE EMPLOYER DIRECTORY FOR WHITE HOUSE OPERATIONS PERSONNEL USING 12/94" but imposed a June 10, 1993 "issue date" restriction.² This list

determine the card holder's active or inactive status. The WAVES system, on the other hand, checks to determine the status of the White House employee requesting visitor access. The pass holder access list does not exist independently, but rather within both WAVES and E-PASS. When information is changed in one system the information is automatically updated to reflect that change in the other system. Only the WAVES computer system, however, is used to print pass holder status information.

² This restriction excluded any person for whom some action was taken after June 10, 1993 with respect to his or her pass. The issue date is the date on which an action is taken with respect to a pass. A new issue date is recorded when an action is taken, such as when a new pass is issued, a pass is recorded as lost, a record regarding a pass is archived, or when a pass is activated or deactivated.

allowed the OIC to identify all inactive passholders³ as of June 10, 1993 who were not also active passholders as of May 2, 1993.

Next, the OIC used an E-PASS printout, sorted by employer (WHOP) and by pass issued prior to June 10, 1993, to identify any person whose first entry was between May 2 and June 10, 1993 and who did not appear on the May 2, 1993 active passholder list or the December 1994 issue date restricted list. These individuals did not appear on the May 2, 1993 list because they were not active passholders at that time. They did not appear on the December 1994 issue date restricted list because they had an issue date change, such as their information being archived, after June 10, 1993. Also, any person whose first E-PASS entry was June 10, 1993 was included.

Finally, the OIC reviewed the entire E-PASS printout again to determine whether an individual should be included because of E-PASS history. For example, a person who was listed as inactive on the E-PASS printout on June 10, 1993 would not appear on the other lists if he or she was not active as of May 2, 1993, had an issue date change after June 10, 1993, and did not make a first E-PASS entry on June 10, 1993. Nevertheless, such a person should be included on the reconstructed list because the

³ The OIC's reconstruction of the June 10, 1993 list included inactive passholders because Mr. Marceca's requests plainly included inactive passholders, as did the recovered portion of the June 10, 1993 list.

reconstructed list contained individuals whose passes were inactive as of June 10, 1993.

2. Methodology Used to Determine the Type of Pass Held by Individuals on Reconstructed WHOP List

The OIC also used a reconstruction methodology to determine the type of pass (e.g., White House, New Executive Office Building, Volunteer, etc.) a person on the reconstructed June 10, 1993 list held on that date. Determining each person's pass type allowed the OIC to identify and further analyze patterns of Mr. Marceca's requests for background reports.

First, the OIC compared the WAVES (WAV058BS) May 2, 1993 WAVES active passholder list with the WAVES (WAV058BS) August 1, 1993 WAVES active passholder list. If the same individual had the same pass type on both lists, then the same pass type was entered for the reconstructed June 10, 1993 list on the ground that the person was a continuous passholder between those days and that it was unlikely that the type of pass changed and then changed back to the same pass type between those dates.

For those whose pass types could not be established in this way, the OIC next reviewed their pass history on the E-PASS printout. The OIC used the pass type on June 10, 1993 or, if the person was listed as "inactive" or "archived" prior to that date, the OIC used the last pass type held by the person.

For those whose pass types still could not be determined under the prior two methodologies, the OIC referred to a WAVES

printout dated June 12, 1996, entitled "PASSHOLDER DIRECTORY BY NAME." From that list, the OIC used the pass type from the "PASS-TYPE" column.

As a final measure, the OIC used the pass type from the December 1994 WHOP printout, without the issue date restriction. This list was used, however, only after the OIC determined that a person's pass type could not be determined from the May 2, 1993 WAVES list (WAV058BS), the December 1994 issue date restricted list, the E-PASS printout, or the December 12, 1996 PASSHOLDER DIRECTORY.

3. Methodology Used to Determine Temporary or Permanent Status of WHOP Passholders on June 10, 1993

The OIC determined whether a person was a temporary or permanent passholder as of June 10, 1993. Again, the purpose of this process was to enable the OIC to identify and analyze patterns of Mr. Marceca's requests for background reports.

Virtually the same process was used to determine whether a person held a temporary or permanent pass as was used to identify a person's pass-type. However, those individuals whose pass type was derived from the E-PASS printout were designated as temporary if both an issue date and an expiration date were listed. Those individuals who were first added to the E-PASS system after January 20, 1993, who did not have an expiration date on a September 25, 1996 E-PASS printout, and who had not received their permanent pass as of June 10, 1993, were listed as

permanent. Those individuals who were already in the E-PASS system as of January 20, 1993, and who had no expiration date, were designated as permanent passholders.

4. Comparison of Reconstructed Po-Zy List to Actual Po-Zy List

The OIC compared the "Po" to "Zy" portion of the reconstructed list to the actual "Po" to "Zy" list received from OPS and identified only 13 names on the reconstructed list that are not on the actual list. Of those thirteen, seven had a first entry date of June 10, 1993, possibly reflecting that their first entry occurred after the actual list was created on that date. Possible reasons that the other six were included on the reconstructed list (but not on the actual list) include changes of office or employer between May 2 and June 10, 1993, E-PASS entries between May 2 and June 10, 1993, or even a name change. Only one person was listed on the actual list, but not the reconstructed list, possibly resulting from being in inactive status on May 2, 1993, having a status date change after June 10, 1993, and changing employers before the end of December 1994. Thus, despite being an inactive WHOP passholder as of June 10, 1993, that person would not have been captured by the reconstruction methodology.

The OIC considered these variations insignificant. The reconstructed list -- excluding the seven individuals with a first entry date of June 10, 1993 -- reflected only seven differences, or less than one percent, from the 804 names on the

actual June 10, 1993 list. In short, the OIC believed that the reconstruction methodology recreated the actual June 10, 1993 "Po" to "Zy" list with better than 99 percent accuracy.

As a final means of verifying the accuracy of the reconstructed list, the OIC also compared the reconstructed "Aa" to "Go" portion of the list with a list of Mr. Marceca's actual requests for background reports. Mr. Marceca requested the background reports for only four individuals who are not listed on the reconstructed June 10, 1993 WHOP list, only one of whom arguably should have been on the reconstructed list. The other three were not on the reconstructed list because, in two instances, the individuals were not WHOP staff and, in the third instance, the person was a potential presidential nominee at the time of Mr. Marceca's request for that background report. The only person whose name arguably should have been on the reconstructed list appears to have been hired in December 1993 when Mr. Marceca first requested her background report. For these reasons, it does not appear that any of these four individuals were either targeted for review or part of the regular order of Mr. Marceca's requests, even though their reports were ordered during the period of Mr. Marceca's requests.