

APPENDIX 2

DESCRIPTION OF SUBSTANTIVE POST-IT NOTES AND HIGHLIGHTING

This Appendix contains a description of the substantive post-it notes and highlighting that appeared on the confidential FBI background reports requested and received by Mr. Marceca. For privacy reasons, the names of the individuals whose background reports contained notes and highlighting are not identified and will be referred to as F(1) through F(11):

F(1) contained two post-it notes. One post-it note contained the words "[F(1)] should be fired @ IG" and the other contained the word "Political" next to text that reflected work for the Republican National Committee. OPS requested this background report on August 6, 1993; it was received by the FBI on August 10 and provided to the OPS on September 22. This individual's name is on the Secret Service's "Other Government Agencies" list. Mr. Marceca identified the handwriting in this note as his. Marceca 09/11/99 OIC Depo. at 68.

F(2) contained one post-it note with the words "FYI Close to George Bush." OPS requested the background report on September 9, 1993; it was received by the FBI on September 14, 1993 and was provided to the OPS on October 4, 1993. This individual's name is on the Secret Service's "NSC" list. Mr. Marceca identified the handwriting in this note as his. Id. at 69.

F(3) contained one post-it note with the words "Iran/Contra Connection." OPS requested the background report on January 18, 1994; it was received by the FBI on January 21, and provided to the OPS on January 31. This individual's name was not on the reconstructed June 10, 1993 list or any other list recovered by the OIC. Mr. Marceca was unable to confirm whether the handwriting on this note was his. Id. at 66.

F(4) contained one post-it note with the words "Son Explosives Arrest." OPS requested the background report on December 13, 1993; it was received by the FBI on December 16, 1993 and provided to the OPS on December 23, 1993. Although this individual's name did not appear on the reconstructed portion of the Secret Service WHOP list, it would have been on the "Aa" through "Go" portion of the Secret Service WHOP list because the employment history indicates employment as WHOP during the relevant period.

F(5) contained one post-it note with the words "Why Does He Stay Here!" OPS requested the background report on September 9, 1993; it was received by the FBI on September 14, 1993 and provided to OPS on September 20, 1993. This individual's name is on the Secret Service's "NSC" list. Marceca identified the handwriting in this note as his. Id. at 68.

F(6) contained one post-it note with the words "Debt? Why does he not pay it?" OPS requested the background report on September 9, 1993; it was received by the FBI on September 14, 1993 and provided to the OPS on October 4, 1993. This individual's name is on the Secret Service's NSC list. Mr. Marceca identified the handwriting in this note as his. Id. at 67-8.

F(7) contained two partially highlighted sentences.¹ Under Family Status the highlighted portion of the paragraph referred to F(7)'s divorce; and, the second highlighted portion indicates that, 4 years after the divorce, F(7) sought medical attention using invalid identification. OPS requested the background report on September 9, 1993; it was received by the FBI on September 14, 1993, and provided to the OPS on October 4, 1993. This individual's name is on the Secret Service's list for the NSC.

F(8) contained two post-it notes. One note contained the words "This is Sloppy Work!! This is a GS-9 Report." The other note contained the words "There is no verification he received his J.D." OPS requested the background report on September 9, 1993; it was received by the FBI on September 14, 1993 and provided to the OPS on September 20, 1993. This individual's name was on the Secret Service's NSC list. Mr. Marceca identified the handwriting in this note as his. Id. at 69.

F(9) contained one post-it note with the words "Drug Arrests." OPS requested the background report on November 23, 1993; it was received by the FBI on November 24, 1993 and provided to the OPS on December 2, 1993. This individual's name is on the Secret Service's list for the GSA. Mr. Marceca identified the handwriting in this note as his. Id.

¹ Mr. Marceca testified to the OIC that, in addition to the post-it notes, he highlighted certain portions of the background reports that he felt were relevant and that, upon learning of this, Craig Livingstone told him to stop doing so. Id. at 28, 69-70.

F(10) contained two post-it notes. One note contained the word "Update." The other note contained no words but was located next to the arrest report section of this individual's son. OPS requested the background report on November 16, 1993; it was received by the FBI on November 16, 1993 and provided to the OPS on November 26, 1993. This individual was on the Secret Service's GSA list. Mr. Marceca was shown this note by the OIC, and he did not believe it to be in his handwriting. Id.

F(11) contained one post-it note with the words "Oliver North Operation?" There were also several words highlighted in pink. This background investigation report was requested on September 9, 1993. This individual was a current employee at NSC. Mr. Marceca was unable to confirm whether the handwriting on this note was his. Id. at 68.