

United States Senate

WASHINGTON, DC 20510

March 24, 2004

The Honorable John Ashcroft
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001

The Honorable Robert S. Mueller, III
Director, Federal Bureau of Investigation
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001

Dear Attorney General Ashcroft and Director Mueller,

I am very concerned about Director Mueller's announcement yesterday that the completion of the FBI's computer system upgrade continues to be delayed. The FBI's Trilogy System, including the Virtual Case File System which will allow agents across the country to share information, is critical to our nation's counter-terrorism and law enforcement efforts. I fear that the continued delay of this critical project, now nearly two years behind schedule, threatens our safety and security.

The continued delays, despite the nearly 600 million dollars in funding, forces me to question what is happening here. The FBI's computer infrastructure was well known to be archaic before the Trilogy program, and the continued delays and integration problems accompanying the upgrade have frozen the FBI in time technologically. By the FBI's own admission, the pre-VCF system involves "139 stove-piped systems and applications" as well as "old, custom, non-mainstream software and tools." These systems cannot adequately share information and upgrading them should be one of the Department's and the FBI's top priorities.

I am also concerned that the continued delay threatens not only the FBI's daily operations and counter-terrorism efforts but also hinders the efforts to integrate the terrorist watch lists. As you know, nine federal agencies currently manage twelve separate terrorist watch lists. The fact that the federal government maintains twelve separate lists two and a half years after 9/11 is truly astonishing and disappointing. In September of last year, the Administration announced that the FBI would house the new Terrorist Screening Center (TSC) and part of its task would be to integrate the twelve lists into a unified list by December 1, 2003. The TSC failed to meet that deadline. Director Mueller reported yesterday that he hopes to have a unified database in place by this summer.

I remain concerned that we have charged an agency that remains unable to reform its own computer system with the immensely complicated task of incorporating twelve different

computer databases that make up the terrorist watch lists. I know each of you shares my concern about these delays and I urge you to work to ensure that our nation is not at risk as a result of the FBI's failure to upgrade its computer system.

Because this is an urgent matter affecting national security, we do not have the luxury of waiting the several months that it frequently takes to receive an answer from the Department. I therefore ask that you please respond to the following questions as soon as possible, and certainly no later than thirty days from now.

1. What is your new deadline for Trilogy, including the VCF system, to finally be fully operational?
2. What measures have you taken to end these delays that continue to endanger the FBI's ability to integrate its offices and personnel in a way that will effectively protect our security?
3. How will the TSC rely on information from or utilize the FBI's Trilogy system?
4. What effect will the continued delay of Trilogy and the VCF have on the creation of the TSC's unified database?
5. When do you expect the TSC to fully integrate the 12 existing terrorist watch lists into a unified database?

I trust you will take an active role in ensuring that the FBI's computer systems are brought up to speed as soon as possible. These continued delays are endangering our national security. I will do everything in my power to work with you to resolve these issues. I look forward to hearing from you at your very earliest convenience about this serious problem.

Sincerely,

A handwritten signature in cursive script that reads "Charles E. Schumer". The signature is written in dark ink and is positioned below the word "Sincerely,".

Charles E. Schumer
United States Senator