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Recent articles in Wired and several additional news outlets spread inaccurate information regarding an investigative tool facilitated by the High Intensity Drug Trafficking Areas (HIDTA) program and used by law enforcement investigators to dismantle and disrupt drug trafficking organizations. The articles depict the investigative tool – the Data Analysis System (DAS) – as a “secretive government surveillance program allowing law enforcement access to phone records of Americans who are not suspected of a crime.” This is simply false, and amidst the worst drug overdose crisis this country has ever experienced, it is critical to correct the inaccuracies that have been asserted about the DAS program.

The Data Analysis System (DAS) is a service designed to enhance telecommunications company compliance with law enforcement requests for routine network records pursuant to legally compelling authority such as a subpoena, court order, or search warrant. Investigative DAS requests are limited to criminal investigations of drug trafficking, money laundering, and other high-profile crimes such as murder, kidnapping, missing persons, and human trafficking.

All requests undergo thorough vetting with multiple layers of scrutiny ensuring appropriate legal authority. Requests lacking proper legal authority are rejected. Investigators do not have access to any database, but they are supplied with only the compelled data in a format that allows for further analysis. DAS records do not include any content of phone calls or text messages.

DAS has played a critical role in assisting local agencies on the front lines, especially when time is of the essence when investigating violent offenders and public enemy number one: the drug cartels.

HIDTAs exist to support Federal, State, County, Local and Tribal law enforcement in their efforts to mitigate the constant flow of deadly drugs being trafficked into the United States. The HIDTA program supports DAS because it is an effective tool used in active criminal investigations under strict protocols

and legal authorities. It is wildly inaccurate and misleading to call DAS a surveillance program spying on the records of millions of Americans.

Amid the ongoing overdose crisis, it is crucial to correct the record regarding DAS and ensure a clear understanding of its lawful role in aiding investigations into transnational criminal organizations and drug trafficking organizations.

Always at Your Service,

A handwritten signature in blue ink that reads "Bill E. Waybourn". The signature is fluid and cursive, with a long horizontal line extending to the right from the end of the name.

Bill E. Waybourn  
NA229