



National HIDTA Directors Association

## The HIDTA Program and Data Analysis Services (DAS)

A recent Wired article and subsequent press release by Senator Ron Wyden included certain statements about ONDCP, HIDTA, and the DAS program that are unfortunately inaccurate. DAS is a contractual service offered to HIDTA Initiatives to increase their efficiency as they combat the overdose threat and work to dismantle and disrupt drug trafficking, money laundering, and transnational criminal organizations. Created in 1988, The HIDTA Program is funded through ONDCP and coordinates and assists federal, state, local, and Tribal law enforcement agencies with the purpose of reducing drug trafficking and drug production in the United States.

**What is DAS?** It is a contractual service provided by the telecommunications industry that is in compliance with federal and state law to support law enforcement criminal investigations. DAS is a program that provides analytical work product based on legally compelled call detail records – but never communications content of a call– that may include some international telecommunications data, dropped or additional phone analysis, and quick return of legally compelled records formatted in a way that reduces analytical time spent by investigators.

**DAS records require a legally compelling demand such as a subpoena, court order, or search warrant.** No records are returned without a legal demand, and the level of the records returned matches the level of the legal demand.

**DAS records do not contain, and have never contained, any communications content.**

**DAS is not a surveillance program.** Law enforcement investigators use DAS in a targeted manner when investigating drug trafficking, money laundering, and transnational criminal organizations and threats of seriously bodily injury or death. In 2022, nationally there were 1,277 DAS requests that included a total of 3,542 target numbers.

**DAS does not provide network records through chain analysis or community of interest.** The only network records provided to the government are in direct response to a subpoena, court order, or search warrant.

**DAS requests are vetted and pass through several layers of scrutiny before they are processed.** Requests are rejected if they are not backed by the appropriate legal demand and if they do not meet investigative benchmarks (DTO/MLO/TCO or serious bodily injury or death).

**DAS products are not kept or stored by HIDTA.** The retention and storage of DAS products are determined by the policies and guidelines of the investigating law enforcement agency.