

DEA's Hemisphere Project collects more phone data than NSA

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PowerPoint slides leaked to the *New York Times* this week contain information about the previously unknown Hemisphere Project, a federal-local partnership involving DEA agents and AT&T employees which launched in 2007.

Hemisphere supplies electronic “call detail records” (CDRs) to law enforcement in response to subpoenas. Any provider that relies on AT&T switches to process its calls will have CDRs collected and archived in the Hemisphere database. The slides released to the *Times* describe the broad scope of the program, stating that, “4 billion CDRs populate the Hemisphere database on a daily basis” and, “Hemisphere results can be returned via email within an hour of the subpoenaed request and include CDRs that are less than one hour old at the time of the search.”

The Hemisphere project collects all calls passing through AT&T switches, including calls made by customers of other phone companies, for a total of around 4 billion per day, and maintains a record of calls stretching back 26 years. As the *Times* commented, “the longevity of the data storage” under the Hemisphere program “appears to be unmatched by other government programs.” Hemisphere collection also includes location data.

Slides detailing the project were transferred to the *New York Times* by an activist from Washington State named Drew Hendricks. Hendricks acquired the slides by submitting public information requests to West Coast police agencies. The authenticity of the slides has been verified by US officials.

The slides show that by tapping into AT&T's database, DEA agents gain access to decades' worth of Americans' telecommunications data. As the *Times* reported, “law enforcement officials working on a counter narcotics program have had routine access,

using subpoenas, to an enormous AT&T database that contains the records of decades of Americans' phone calls—parallel to but covering a far longer time than the National Security Agency's hotly disputed collection of phone call logs.”

The program has operated under a thick blanket of secrecy up until the release of the slides. A slide titled “Protecting the Program” states: “All requesters are instructed to never refer to Hemisphere in any official document. If there is no alternative to referencing a Hemisphere request, then the results should be referenced as information obtained from an AT&T subpoena.”

The revelation comes as an additional illustration of the close links between the state and the telecommunications giants. Revelations have exposed the links between the intelligence bureaucracy and the major communications providers, but the newly leaked slides show a greater extent of fusion between federal law enforcement and the corporations than was previously understood.

In the case of Hemisphere, the telecommunications provider works hand in hand with the government, maintaining a vast data pool that government agents can troll through at any time. According to the *Times*, under the Hemisphere project, “The government pays AT&T to place its employees in drug-fighting units around the country. Those employees sit alongside Drug Enforcement Administration agents and local detectives and supply them with the phone data from as far back as 1987.”

“The government appears to have had a significant role in developing the program, and apparently it's even paying the salaries of some AT&T employees,” said Jameel Jaffer of the American Civil Liberties Union to CNN. “To the extent that this is a government

program, it's subject to the Fourth Amendment. In any event, the fact that AT&T is playing such a big role here should be alarming, not reassuring. AT&T is looking out for its shareholders, not ordinary citizens, and its conduct isn't governed by the Constitution."

Jaffer's criticisms correctly point to the tight integration between the intelligence, military, and law enforcement bureaucracies and the communications corporations, and the complete incompatibility of this arrangement with democratic rights and processes. The high levels of cooperation that have developed between the repressive agencies of the state and the telecommunications corporations are one expression of the anti-democratic processes engendered by monopoly capitalist property forms.

Furthermore, the use of bulk data collection by law enforcement agencies directly contradicts the constant assertions by US officials that surveillance exclusively targets foreigners and is only necessary for national security or "foreign intelligence" purposes. As the new revelations underscore and further detail, federal law enforcement is collecting and processing vast quantities of communications' data from the US population, in direct violation of the Fourth Amendment.

As previously reported by the *World Socialist Web Site*, the DEA has also been using information collected by the NSA in its drug prosecutions. (See "US Drug Enforcement Agency conceals use of information from NSA mass surveillance programs") The DEA receives this information through the Special Operations Division (SOD), which disseminates data collected via surveillance to various federal bureaucracies. The DEA also maintains a database called the DEA Internet Connective Endeavor (DICE), which retains at least 1 billion phone records collected by the agency through wiretaps.

Both agencies follow the practice of concealing the source of the evidence during court proceedings, and training officers to "recreate" the investigative process in a way that conceals the use of information obtained from surveillance. Agents can arrest a person on the basis of text messages they sent, then take them to court and convict them without ever revealing the methods used to acquire the intelligence leading to the sting. In response to revelations about these secret practices, James Felman, a leading member of the American Bar Association, said, "That's outrageous. It strikes me as

indefensible."

Outrageous and indefensible as they may be, these efforts are continuing, full steam ahead. The Hemisphere slides show that at least 11,200 telephone numbers have been "processed" on behalf of the Los Angeles law enforcement authorities alone since the project commenced. The program has facilitated law enforcement operations responsible for seizing millions of dollars and thousands of pounds of illegal drugs, including operations against the Hells Angels.

Such use of illegal and unconstitutional surveillance to build cases, conducted without public acknowledgement of the source of the data, has become central to the activity of leading US police agencies. These methods will eventually be used to conduct repression against political opponents of the state.



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