

# US drug agency tracked billions of international phone calls

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The Drug Enforcement Administration (DEA), a unit of the US Department of Justice, tracked billions of international phone calls made by Americans over a period of more than 20 years, according to an investigation by *USA TODAY* newspaper, published Wednesday.

The DEA created a database “of virtually all telephone calls from the USA to as many as 116 countries linked to drug trafficking, current and former officials involved with the operation said. The targeted countries changed over time but included Canada, Mexico and most of Central and South America.”

While the database was ostensibly created to track the connections of narcotics traffickers, it was made available to other federal agencies for other purposes. Federal investigators “used the records to help rule out foreign ties to the bombing in 1995 of a federal building in Oklahoma City and to identify US suspects in a wide range of other investigations.”

The *USA TODAY* report is of great political significance, since it demonstrates that the US government began its police-state methods of monitoring telecommunications long before the September 11, 2001 terrorist attacks. Moreover, it underscores that many other federal agencies, not just the National Security Agency (NSA), were developing techniques in this area of surveillance.

The newspaper reported that the DEA data-gathering operation collected metadata: a record of which number initiated the call, which number received the call, the time it was made and its duration. According to *USA TODAY*, this “allowed agents to map suspects’ communications and link them to troves of other police and intelligence data. At first, the drug agency did so with help from military computers and intelligence analysts.”

In other words, the Pentagon, whose nominal responsibility is the defense of the United States against

foreign enemies, devoted its resources to helping the DEA target American citizens. There is little doubt that, in return for its assistance, the military had access to the resulting database. This data, accumulated over many years, gave the US military-intelligence apparatus the ability to map relationships of all kinds, from family and social, to commercial and political.

Justice Department officials approved the program through four administrations, beginning with Republican George H. W. Bush in 1992, continuing through Democrat Bill Clinton, Republican George W. Bush, and Democrat Barack Obama.

The initiative for the program came in the last months of the first Bush administration, the newspaper reported, when “Attorney General William Barr and his chief criminal prosecutor, Robert Mueller, gave the DEA permission to collect a much larger set of phone data.” Mueller subsequently headed the FBI from 2001 to 2013.

The DEA issued administrative subpoenas for records “relevant or material to” federal drug investigations. Officials interviewed by *USA TODAY* admitted that the vast majority of the records were not relevant or material. “We knew we were stretching the definition,” a former official said. But there was no opposition within the executive branch and little resistance from the phone companies who were issued the subpoenas, although unlike a judicial subpoena, compliance was voluntary. *USA TODAY* wrote that the DEA program “was the government’s first known effort to gather data on Americans in bulk, sweeping up records of telephone calls made by millions of US citizens regardless of whether they were suspected of a crime. It was a model for the massive phone surveillance system the NSA launched to identify terrorists after the Sept. 11 attacks.”

The NSA, whose vast surveillance apparatus, both at home and abroad, was exposed last year by former contractor Edward Snowden, is itself an arm of the

Pentagon, always commanded by a top military officer and financed out of the secret (“black”) portion of the Pentagon’s enormous budget.

In the course of its more than two decades, the DEA program received the willing cooperation of US telecommunications firms, which complied without complaint when federal officials demanded they turn over call records. *USA TODAY* published a 1998 letter to Sprint from a top DEA official who wrote that the demand for its data had “been approved at the highest levels of Federal law enforcement authority,” including then-Attorney General Janet Reno and her deputy, Eric Holder, now attorney general under Obama.

Holder ordered a halt to the DEA data collection in September 2013, three months after Snowden’s revelations about massive spying by the NSA. The main reason for his action was that the Obama administration was defending the NSA’s collection of telephony metadata on the grounds of national security and preventing terrorism. Justice Department lawyers argued in one lawsuit that the NSA surveillance “serves special governmental needs above and beyond normal law enforcement.”

A Justice Department spokesman said Tuesday that the DEA “is no longer collecting bulk telephony metadata from US service providers.” The operative word is “bulk.” *USA TODAY* said the agency still sends daily subpoenas to telecom companies, with as many as a thousand numbers allegedly linked to drug trafficking or other crimes.

The *USA TODAY* report comes only a week after the *Washington Post* reported that the Department of Homeland Security had revived its program to access databases that track license plates and vehicle locations, with billions of records. The databases are maintained by private companies like Vigilant Solutions, which had 2.5 billion records as of last fall. Among other purposes, the databases would be used by Immigration and Customs Enforcement to track cars owned or operated by suspected illegal immigrants.



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