

COMPANY B (VERIZON? SPRINT?) STOPPED PLAYING NICE WITH FBI IN 2009

I'm reading this DOJ IG report on NSLs – about which I'll have far more later.

But given everything we've learned about NSA's dragnet, I'm rather interested in footnote 156:

Company A, Company B, and Company C are the three telephone carriers described in our Exigent Letters Report that provided telephone records to the TCAU in response to exigent letters and other informal requests between 2003 and 2006. As described in our Exigent Letters Report, the FBI entered into contracts with these carriers in 2003 and 2004, which required that the communication service providers place their employees in the TCAU's office space and give these employees access to their companies' databases so they could immediately service FBI requests for telephone records. Exigent Letters Report, 20. As described in the next chapter, TCAU no longer shares office space with the telephone providers. Companies A and C continue to serve FBI requests for telephone records and provide the records electronically to the TCAU. Company B did not renew its contract with the FBI in 2009 and is no longer providing telephone records directly to the TCAU. Company B continues to provide telephone records in response to NSL requests issued directly by the field without TCAU's assistance.

I'm guessing Company B is Verizon, because it

always comes second! Though it could also be Sprint.

Recall that Reggie Walton shut down Verizon production for part of 2009 (I'll have posts reinforcing this claim sometime in the near future). Verizon may have started being a jerk about providing foreign calls records at that point which – at least technically were provided voluntarily. So that's why it might be Verizon.

At the same time. Sprint is a good candidate because, at the end of the year, it demanded legal process from the phone dragnet. Also, it has challenged DOJ's reimbursements, which has gotten it sued.

Given ongoing discussions about whether NSA gets all the phone records it'd like under Section 215 – and the explanation they're missing cell records – I'm particularly interested in this development.