

AND THEN THERE WERE THREE?

Via DK at TPM, all three big telecoms have told Congress to fuck off they can't confirm or deny whether they've been breaking the law by cooperating with the Administration.

Three telecommunications companies have declined to tell Congress whether they gave U.S. intelligence agencies access to Americans' phone and computer records without court orders, citing White House objections and national security.

Director of National Intelligence Mike McConnell "formally invoked the state secrets privilege to prevent AT&T from either confirming or denying" any details about intelligence programs, AT&T general counsel Wayne Watts wrote in a letter to the House Energy and Commerce Committee.

Qwest and Verizon also declined to answer, saying the federal government has prohibited them from providing information, discussing or referring to any classified intelligence activities.

Used to be—back in the halcyon Nacchio days and shortly thereafter—that only two telecoms would invoke State Secrets: AT&T and Verizon. But here we have Qwest doing so too.

Is that the reason why Qwest isn't shrieking more loudly about the immunity deal its rivals might get for being more reckless with the law than Qwest?

Update: Here's a new line. It's not the program that is confidential. It's the proof that the telecoms had AG authorization to undertake the programs that is confidential.