

EDWARD HASBROUCK
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9 July 2009

Commission nationale de l'informatique et des libertés
Service des plaintes
8 Rue Vivienne
CS30223
75083 Paris CEDEX 02
FRANCE

Re: Saisine 09006481 (Hasbrouck)

I have received your letter of 26 June 2009 from M. Alex Türk, President of the CNIL, regarding my request to the CNIL for your help in identifying the person or department of Air France responsible for responding to request for access to personal data.

I am grateful for the assistance of M. Xavier Delporte of the CNIL. In response to my requests, M. Delporte identified the "Direction Juridique" as the responsible department at Air France, and provided me with their fax number.

However, I regret to inform you that, despite my diligent efforts and the assistance of the CNIL, Air France has not complied with the French law pertaining to the right of access to personal information. Air France has violated the law in the following specific ways:

- 1. Air France did not identify any person or office responsible for responding to requests for access to personal data, and did not provide any adequate contact information for such requests.**

No responsible person or department, no phone or fax number, and no specific address (such as a room number or department or office name) other than the general address for the Air France headquarters complex, was identified on the Air France Web site or in any printed information provided to me. In her letter to me dated 25 March 2009, a copy of which is attached, Ms. Joan Gabel, U.S. Counsel for Air France, admitted that my request for access to personal data sent to this general address was not forwarded to the data controller or responsible person or office, even though it was marked at the top of the letter and on the envelope, "Attn: Data Controller", and at the top of the letter, in both French and English, "Demande de droit d'accès aux informations" and "Subject: Request for access to personal data". Air France is required both (a) to identify publicly the responsible person, office, or department, and (b) to provide contact information such that requests sent to that address, or made at that address "sur place", will reach the responsible person or department. Air France did not do either of these things.

- 2. Air France did not answer my written request within the time limit provided by law.**

My request was sent by the French postal service from Paris on 21 January 2009. (A second copy was sent later the same day, after my flight, from San Francisco. A third

copy was sent electronically by using the “Contact” form on the Air France Web site.) I believe that the copy sent from Paris was received at Air France headquarters at Roissy on 22 January 2009. Air France claims to have misdirected one copy of my letter to their office in Florida, USA. But their error, and their failure to identify the responsible person or department or to provide an address sufficiently precise to ensure that requests would be delivered to the responsible person or office, does not affect their duty to respond within 60 days. Air France was required to respond by 23 March 2009. They did not provide me with any of my data until 31 March 2009, 8 days after the legal deadline.

3. Air France refused to allow me to exercise my right of access and obtain an explanation of my data “sur place”.

According to your letter of 26 June 2009 from M. Türk, “Vous avez été reçu, à l’occasion d’un voyage en France, dans les locaux de la société Air France, le 2 avril 2009, pour évoquer votre dossier.” Perhaps I do not understand correctly the meaning of “Vous avez été reçu,” or of “évoquer”. But I do not believe that it is accurate to say that I was “received” at Air France’s headquarters, or that anything was done to explain my dossier. On the contrary, I was categorically refused permission to enter the building. I have described the circumstances of my visit to Air France’s headquarters in more detail, in English, in an article on my Web site at <http://hasbrouck.org/blog/archives/001679.html>.

I could not find any information or instructions for making a request for access to my data “sur place” on the Air France Web site. After receiving no response to my written request, I gave Air France ample notice of my intention to make my request for access to my data “sur place” at their headquarters on that 2 April 2009, both by fax in French to the “Direction Juridique” on 24 March 2009 (at the fax number provided by the CNIL), and by e-mail messages in English to Ms. Gabel on 25 March 2009 and 31 March 2009 (see copies attached). I received no information or instructions for when, where, or how to make my request “sur place” in response to this fax and these e-mail messages.

When I arrived at Air France’s headquarters, and identified myself by name at the reception desk, the personnel at the reception desk gave me a copy of M. Bardy’s letter of 31 March 2009 and a cover letter from M. Bardy (see attached copy) stating that “we believe that we have fully responded to all of your questions and have complied with the obligations of ... the French law.” But when I said that I had questions about my data and M. Bardy’s letter, and wished to request additional data and obtain an explanation of my data “sur place”, I was told that the reception staff had no procedures or instructions for such requests, and would not accept requests for access to personal data “sur place”.

When I asked to speak with M. Bardy or any other responsible person, or to find out when or if M. Bardy or any responsible person would be available to speak with me, a messenger was eventually dispatched inside the building. They returned with an unsigned letter, a copy of which is attached. This letter said that “M. BARDY n’est actuellement pas disponible pour recevoir, étant en reunion a l’extérieur.” Neither the letter, nor the messenger, nor any of the staff at the reception desk, would tell me when or if M. Bardy might return or be available, whether any other responsible person was available, when or if any other responsible person would be available, or any other information about when, where, or how I could access my information and obtain an explanation of it “sur place”. None of the people I spoke to outside the entrance to the building would tell me their name or title, or identify themselves in any way, other than to say that they were not

responsible for responding to requests for access to personal data. They were surprised, but had no explanation or answer, when I showed them a printout of the brochure from the CNIL Web site mentioning the right of access to personal data “sur place”.

4. Air France did not provide a complete or intelligible explanation of my data.

The only explanations of the codes, fields, and meaning of the data provided to me were in French. I do not believe that they are complete, and I do not understand all of them. But I cannot tell whether that is because of my limited understanding of French. A major purpose (although not the only purpose) of my attempt to exercise my right of access “sur place”, after receiving M. Bardy’s letter of 31 March 2009, was to obtain clarification in English of the French explanations of the data and codes. In my case, Air France advertised its services to me in English. I made my reservations and purchased my ticket through their English-language Web site. My contract with Air France was in English. In these circumstances, I believe that the requirement of French law for this information to be provided “sous une forme accessible” requires that it be provided in English.

5. Air France did not provide me with all of the personal data about me in their possession or the possession of their agents or contractors.

- (a) Air France has a record of my electronic ticket, but did not provide it, even though I specifically requested ticketing records. Line 19 of the PNR, as provided by Air France in Annexe 1 to M. Bardy’s letter of 31 March 2009, shows the existence of an electronic ticket contained in the Amadeus PNR. This is also shown in Annexe 2 (“TKNE”). But the e-ticket record was not disclosed to me. Although Air France provided a copy of its record of the charge to my credit card, that does not include all of the information required to be included on a ticket. An actual ticket would have included, and I believe the e-ticket record in the Amadeus PNR did include, among other information, (1) the endorsements on the ticket, (2) an indication of whether each transfer point was a permitted stopover (coded “O”) or a connection at which no stopover was permitted (coded “X”), (3) the complete fare calculation by segment, and (4) the breakdown of taxes, fees, and charges (collectively coded “XT”, but required to be itemized on the ticket). This breakdown is essentially to determine how much of the XT amount went to which government agencies as taxes and fees, and how much went to Air France as “surcharges” to the fare. Of course, Air France must have had a record of this breakdown, in order to account for and properly remit the taxes and fees collected from passengers to the appropriate governments.
- (b) Air France did not provide any records of my visits to their Web site, or respond to my specific request for such records. In the normal course of operation of a Web server, logs are created showing the IP address and other information of each visitor. Air France ignored my request for these records. So I don’t know if Air France has configured their Web servers not to create such logs, if they have already destroyed these logs of my visits, or if they have these logs, but did not provide them to me.
- (c) In his letter of 31 March 2009, M. Bardy makes statements about data held by Amadeus. From these statements, I infer that there was communication about my data between Air France and Amadeus. And in order to determine whether there were Web server logs of my visits to the Air France Web site, there would have needed to be communication between the Direction Juridique and other operational departments and/or contractors of Air France. None of these communications were provided to me.

- (d) The documents provided by Air France show that one of the copies of my request was referred to Air France's legal office in New York, at Ms. Gabel's direction: "FILE TRANSFERRED TO NYC.AJ/CLOS PER JOAN GABEL.... Date de clôture 04MAR2009. Clôture définitive sans réponse". But none of the records showing how it was handled once it was forwarded to the New York office were provided to me.
- (e) On 25 February 2009 (26 February 2009, Paris time), I received an e-mail message in English from "The Air France Web Support Team" in reference to the copy of my access request which I had submitted through the Air France Web site: " We forward your message to the person in charge of such requests." (I have attached a copy of this e-mail message.) But neither this message, any of my previous e-mail messages to and from Air France (quoted in this message), nor any records showing what subsequently happened to this copy, or to whom it was forwarded, were provided to me.
- (f) Air France did not provide any of the records kept by Amadeus showing who had accessed my data, although I had specifically requested these records. In order to comply with my request, and to ensure that these records were not destroyed while my request was pending, it would have been necessary for Air France to communicate with Amadeus to instruct Amadeus to retain these records. But Air France did not provide me with any record of any such communications with Amadeus about my request and the need to preserve the records that I had requested. I don't know whether there was no such communication (in violation of Air France's duty to preserve these records while my request for them was pending), or whether there was such communication about me and my data, but it was improperly withheld from me.

6. Air France and/or its contractors destroyed portions of my data while my request for that data was pending.

According to M. Bardy's letter of 31 March 2009, "Your PNL was destroyed by SITA four days after your last flight on 21 January 2009." This was in violation of the law.

I believe that Air France received the first copy of my request, which was mailed in Paris on 21 January 2009, at their headquarters in Roissy on 22 January 2009. Air France's failure to route my request to the correct department within their company is not my fault, and does not free Air France from penalties for failing to comply with the law.

In my request, I was explicit that "This request includes any data collected, maintained, accessed, processed, or disclosed to third parties by your company as well as by your agents, sub-agents, contractors, and subcontractors, including codesharing, alliance, operational, or other "partner" airlines or rail operators.... I note that some of these records ... may not routinely be retained for more than a few days, at most. Accordingly, I specifically request that you take immediate steps to ensure the retention of this data while this request is pending, including immediate notification of this request to the relevant departments within your organization and to each of your agents, sub-agents, contractors, or subcontractors, including but not limited to hosting and CRS/GDS companies and codeshare partners or other airlines and rail companies, who might have had access to my data. Time is of the essence to ensure the retention of this data."

Apparently, Air France ignored this portion of my request, and ignored its legal obligation to secure data held by its contractors and/or agents, including Amadeus and SITA.

7. Air France did not adequately identify the recipients of my data, or the computerized reservation systems to which Air France subscribes.

Air France refers to “Amadeus”, but gives no details or contact information for this entity, and does not identify the person or department at “Amadeus” responsible for responding to request for personal data. As I noted in my original request, Air France is required to provide this information (as a subscriber as well as a system user of Amadeus) under the EU Code of Conduct for Computerized Reservation Systems. Air France is also a subscriber to the Sabre, Galileo, and Worldspan CRS’s. Air France’s failure to provide this information is a violation of the Code of Conduct for CRS’s, as well as of French law.

8. Air France did not provide me with “Les informations permettant de connaître et de contester la logique qui sous-tend le traitement automatisé en cas de décision prise sur le fondement de celui-ci et produisant des effets juridiques à l’égard de l’intéressé.”

I had specifically requested the logic to be used in automated processing of data about me, obtained by the U.S. Government from Air France (and/or its agents and contractors including Amadeu) for making decisions such as whether to permit me to board my flights. Air France has admitted that information from their records about me was provided to the U.S. Government for these purposes. The use of such data obtained from airlines for making such decisions is specifically discussed in the U.S. Government’s APIS regulations (72 *Federal Register* 48320-48345, 23 August 2007). Decisions by the U.S. Government of whether or not to issue a “cleared” message or a “no-fly” order are clearly decisions “produisant des effets juridiques à l’égard de l’intéressé”.

In his letter to me of 31 March 2009, M. Bardy said, “This request is unjustified with respect to your journey as the data used by Air France served only to provide you with the transport you requested, and currently there is no processing of your personal data of this nature at Air France.” This is wrong, both as a matter of fact and as a matter of law. My data, obtained from Air France, was used by the U.S. Government for these purposes. Deciding whether to prevent me from flying does not serve to “provide” me with transport, but could only serve to prevent me from obtaining transport. And Air France is responsible for disclosing the logic used for processing my data obtained from Air France, regardless of whether that processing is conducted by Air France itself, its agents or contractors, or a third party (such as the U.S. Government) that received my data from them. Whether the processing was carried out “at Air France” is irrelevant. The relevant criteria is whether decisions are “prise sur le fondement de celui-ci”, i.e., whether they are based on the data controlled by, or obtained from, Air France – which clearly they are. Having provided my data to the U.S. Government, Air France is required to disclose the complete logic of the processing and decision-making by the U.S. Government.

9. Air France did not have in place adequate measures to secure my data.

According to M. Bardy’s letter of 31 March 2009, “the reservation file, for the period of its validity, was accessible, in respect of yourself by Air France [and] all travel agencies, provided they were in possession of the exact file number and your name.”

The CRS “file number” (usually referred to as a “record locator”), is not an adequate “password”, and is not adequate to protect sensitive data contained in a PNR. The record

locator is printed on baggage tags and boarding pass stubs, which have to be displayed and can be read by anyone nearby while boarding aircraft, on baggage claim carousels, etc. Passengers are never told that anyone who reads their name and record locator off their luggage, or off a discarded luggage tag or boarding pass, can retrieve their entire PNR.

10. Air France permitted the transfer of my personal data, including sensitive data, to countries that do not have adequate data protection, without notice or consent.

According to M. Bardy's letter, as quoted above, my data could have been accessed by, and thus transferred to, any country in the world where Air France has an office or agent. My PNR included sensitive data, specifically, requests for a type of special meal that could be taken as an indication of my religion.

Air France has offices and agents in at least a hundred countries that do not have laws that ensure an adequate level of protection for personal data. Neither Air France nor its contractor Amadeus have in place any technical measures to restrict access from these countries, or to limit access to offices or agents that have a need to access PNR data in order to provide services. In fact, Air France has in place no technical measures to impose any purpose restrictions on access to PNR's. Any agent of Air France, anywhere in the world, can access any Air France PNR, for any purpose, without notice or consent.

Air France gave me no notice that my data, including sensitive data, might be transferred to any countries other than those where I made my reservations, purchased my tickets, or actually travelled, unless I specifically requested services from an office or agent in another country (and consented to the transfer of my data to that country). I can find no such notice on Air France's Web site or any of the documents that were provided to me.

I did not consent, and would not have consented, to the worldwide unrestricted availability of my data, including sensitive data. I chose to travel on Air France, rather than an airline based in the USA, in part because I wanted to be assured that my personal data, including sensitive data, would be protected according to French law. I relied on Air France to protect my data and to ensure that its agents and contractors protected my data.

11. Air France and their contractor Amadeus did not keep any records of who retrieved my PNR, from what country or countries they retrieved my PNR, or what portions of my PNR they retrieved. Or, if they kept any such records, they either destroyed them before responding to my request, or have withheld them from me.

Because Air France and its contractor Amadeus either (illegally) failed to keep a record of who, in what country or countries, accessed my PNR, or (illegally) destroyed those records, or (illegally) withheld these records from me, it is impossible for me to know to what countries my data, including sensitive data, has been transferred.

Accordingly, I must assume that all of my PNR data, including sensitive data, may have been transferred to each and every country where Air France has an office or agency.

Air France has offices and/or agents throughout the world, including in more than 100 countries that have not been certified by the EU to have adequate data protection.

I request that the CNIL treat the potential transfer of my data, including sensitive data, to each of these 100+ countries as a separate violation of the law by Air France.

The EU Data Protection Directive and the French Data Protection Act have been in effect for many years. Air France and Amadeus have had ample time to modify their systems, an/or to build new systems, to comply with those laws. They should have systems in place to secure PNR data instead of to disclose it to anyone with a record locator and name. They should have systems in place to enforce purpose and cross-border transfer restrictions for PNR data, to require notice and consent for access, and to keep records (presumably through an access log similar to the change log in the PNR “history”) of who has accessed a PNR and from what country.

The violations of the law discussed in this complaint – especially the failure to have in place adequate procedures for responding to requests for access to personal data, the failure to secure PNR data, the failure to have any controls on cross-border transfers of PNR data, the failure to require purpose limitations, notice, or consent for PNR access, and the failure to keep any records of PNR access including cross-border transfers – are extremely serious. They have been going on for years, and affect tens of millions of Air France customers each year. They potentially involve more than a hundred violations of the law with respect to each passenger.

Because of the severe, systematic, prolonged, and ongoing character of these violations, I request that you impose the maximum fine permitted by the French law, €300,000 for each of the 100+ violations reported in this complaint. Because of the severity of these violations, and because a company the size of Air France could absorb a fine of €30 million as a cost of doing business, and might find it cheaper to do so than to bring its systems into compliance with the law, I request that you also seek criminal penalties against Air France for these violations.

If you have any questions, please do not hesitate to contact me. You can reach me by telephone at +1-415-824-0214, or by e-mail at <edward@hasbrouck.org>.

I apologize again for my very limited French. I understand that your proceedings – unlike Air France’s dealings with customers like me in the USA – are normally conducted in French. Because I was unable to explain the details of my complaint with sufficient precision and clarity in French, I have prepared this complaint in English. I am trying to have it translated into French, and I will send you a French translation of this letter as soon as I am able to do so.

Sincerely,

Edward Hasbrouck

Attachments (by date sent):

- 1) Letter to Air France, 21 January 2009 (3 pages)
- 2) E-mail from Air France, 26 February 2009 (2 pages)
- 3) Fax to Air France, 24 March 2009 (1 page)
- 4) Letter from Ms. Gabel, 25 March 2009 (1 page)
- 5) E-mail to Ms. Gabel, 25 March 2009 (2 pages)
- 6) Letter from M. Bardy, 31 March 2009 (16 pages including annexes)
- 7) E-mail to Ms. Gabel, 31 March 2009 (2 pages)
- 8) Cover letter from M. Bardy, 2 April 2009 (1 page)
- 9) Unsigned letter from Air France, 2 April 2009 (1 page)
- 10) Letter from the CNIL, 26 June 2009 (1 page)
- 11) E-mail to the CNIL, 2 July 2009 (1 page)

cc: M. Jean-Marc Bardy, General Counsel
Service Juridique/ / Legal Affairs Department (DB.AJ)
Air France
45, rue de Paris
95747 Roissy CDG CEDEX
FRANCE

Ms. Joan Gabel, U.S. Counsel (NYC.AJ)
Air France
125 West 55th St.
New York, NY 10019-5384
USA
jogabel@airfrance.fr

Demande de droit d'accès aux informations

Attn: Data Controller
Air France
45, rue de Paris
95747 Roissy CDG CEDEX
FRANCE

San Francisco, CA, USA
21 January 2009

Subject: Request for access to personal data
("Demande de droit d'accès aux informations")

Dear Sir or Madam:

The undersigned, Edward Hasbrouck, a citizen of the United States of America, residing at 1130 Treat Ave., San Francisco, CA 94110, USA, files this request with Air France pursuant to Article 39 of the French Act n°78-17 of 6 January 1978 on Data Processing, Data Files and Individual Liberties, as amended by the Act of 6 August 2004 relating to the protection of individuals with regard to the processing of personal data .

I request that you provide me with all of the information to which I am entitled pursuant to that Act, including:

1. confirmation as to whether the personal data relating to me form part of the processing;
2. information relating to the purposes of the processing, the categories of processed personal data and the recipients or categories of recipients to whom the data are disclosed;
3. if applicable, information relating to the transfers of personal data intended towards a State that is not a member State of the European Union;
4. communication, in an accessible form, of the personal data relating to me as well as any available information on the origin of the data;
5. information allowing me to know and to object to the logic involved in the automatic processing, in the case of a decision taken based on automatic processing and producing legal effects in relation to me.

I note in particular that clause 5 of Article 39 of the Act (as quoted above from the English translation published by the "Commission nationale de l'informatique et des libertés" (CNIL) on their Web site) applies to information used as the basis for such decisions as whether to conduct more intrusive or intensive questioning or search of my person or luggage, whether to identify me as a "selectee" or for "secondary screening", whether to permit me to check in for or board any flight, and whether to permit me to depart from any country or enter any other. This includes, but is not limited to, processing in relation to the "Automated Targeting System" (ATS) and/or "Advance Passenger Information System" (APIS) of the government of the USA. Accordingly, I specifically request that you inform me of the logic to be involved in taking those decisions, by you and by each other recipient of my personal data.

In relation to clause 3 of Article 39 of the Act, I particularly request that you inform me whether any of my personal data have been transferred to any entity outside the European

Union, whether to governmental or to commercial or other entities, and if so exactly which data, when, to whom, for what purposes, and subject to what enforceable contractual commitments from the recipient, including but not limited to which agency or agencies of the government of the United States of America and which commercial entity or entities in the USA or other countries, including PNR hosting services (such as Computerized Reservation Systems or Global Distribution Systems), PNR processing services (such as the Amadeus Revenue Integrity division, formerly Airline Automation, Inc.), travel transaction and customer data aggregation and analysis services (such as the Vistrio joint venture of Sabre and Equitec), other airlines including codesharing, alliance, or other "partner" airlines, and in relation to the operation of trains with Air France flight numbers.

I also request that you inform me of your policies for use, access, retention, and destruction of this data, and those of any recipients of this data, particularly those outside France.

This request includes any data collected, maintained, accessed, processed, or disclosed to third parties by your company as well as by your agents, sub-agents, contractors, and subcontractors, including codesharing, alliance, operational, or other "partner" airlines or rail operators. I request that you inform me not merely who might have received or accessed my data, but who actually did so, and exactly what information was actually received or accessed, including by secondary, tertiary, etc. recipients by way of these agents, contractors, government agencies, and any other recipients of my data.

If you subscribe to one or more Computerized Reservations Systems (CRS's), I also request in accordance with Article 9a(1)(d) of the EU Code of Conduct for CRS's (Council Regulation No 2299/89 of 24 July 1989, as amended), that you inform me of the name and address of the CRS system vendor(s), the purposes of the processing by the CRS(s), the duration of the retention of individual data by them, and the means available to the data subject of exercising my access rights with respect to the CRS(s).

This request includes all personal data processed by you of which I am the data subject, including but not limited to:

1. Airline and rail hosting and/or travel agency Passenger Name Records (PNR's)
2. PNR histories
3. Cancelled PNR's and their histories
4. Archived or "purged" PNR's and their histories
5. System logs of access to these PNR's and PNR histories
6. Departure control system records and access logs
7. Advance Passenger Information (API) records and logs
8. AIRIMP, EDIFACT, or other inbound and outbound message records
9. Ticketing records
10. Bank Settlement Plan (BSP), interline, or other settlement records
11. Credit card processing, financial, billing, or payment records
12. Frequent flyer account records
13. Customer, Web user, or traveller records or profiles
14. Web site visitor, usage, and server records and logs

I note that some of these records, particularly CRS or hosting system logs showing the terminal addresses, user sines, and exact queries which were used to access my data from those systems, may not routinely be retained for more than a few days, at most. Accordingly,

I specifically request that you take immediate steps to ensure the retention of this data while this request is pending, including immediate notification of this request to the relevant departments within your organization and to each of your agents, sub-agents, contractors, or subcontractors, including but not limited to hosting and CRS/GDS companies and codeshare partners or other airlines and rail companies, who might have had access to my data. Time is of the essence to ensure the retention of this data, particularly including access logs.

This request includes, but is not limited to, personal data pertaining to my journey as follows:

AF 83	13JAN2009	SFOCDG
AF 7183	14JAN2009	XDTZYZ (train from CDG to Brussels Midi)
AF7186	20JAN2009	ZYRXDT (train from Brussels Midi to CDG)
AF84	21JAN2009	CDGSFO

AF record locator ZDWTIN
ticket number 05721775136313

I have attached a copy of a reservation confirmation printout for these flights and trains.

I have attached a copy of my passport as confirmation of my identity.

I understand that you may require payment of a sum of money for the delivery of the copy of my data, and that this may not exceed the cost of the copy. I agree to pay up to EUR20 in actual copy cost. If you believe that the actual cost of the copy will be more than EUR20, please advise me of the anticipated volume and type of records and estimated cost of the copy. (If the records are voluminous, the cost of the copy can probably be greatly reduced by supplying the copy in electronic form, as long as it meets the requirement of intelligibility.)

Please reply at your earliest convenience to confirm your receipt of this request, and to advise when you expect to be able to provide a full reply.

Should you have any questions or require further information from me to expedite your response, please contact me by telephone or e-mail at your earliest convenience.

I apologize for making this request in the English language rather than in French. However, my French is very limited, you marketed your services to me in English, and my contract with Air France was entered into in English.

Sincerely,

Edward Hasbrouck
1130 Treat Ave.
San Francisco, CA 94110
USA

telephone +1-415-824-0214
edward@hasbrouck.org

Return-Path: <contact.fr.fr@airfrance.fr>
Received: 25 Feb 2009 23:22:49 -0800
Date: Thu, 26 Feb 2009 08:22:42 +0100 (CET)
From: Air France Contact FR <contact.fr.fr@airfrance.fr>
To: Edward Hasbrouck <edward@hasbrouck.org>
Subject: Re: Assistance - Autres (KMM13466613I5L0KM)

Dear Mr Hasbrouck

We forward your message to the person in charge of such requests.

Best regards

The Air France Web Support Team

Société Air France, Société Anonyme au capital de 1 901 231 625 Euros, immatriculée au registre du Commerce et des Sociétés de Bobigny sous le numéro d'identification 420 495 178.
Siège social: 45 rue de Paris 95747 Roissy CDG Cedex

Le message d'origine suit :

I have received no reply to my e-mail (as forwarded below), and I have still received no response to my postal letter (as attached). Please reply with the contact information for the person or title and address of the office within Air France that is responsible for such requests, and forward this message to them.

Sincerely,

Edward Hasbrouck

On 31 Jan 2009 at 8:30, <Edward Hasbrouck <edward@hasbrouck.org>> wrote:

From: Edward Hasbrouck <edward@hasbrouck.org>
To: Air France Contact FR <contact.fr.fr@airfrance.fr>
Subject: Re: Assistance - Autres (KMM13303017I5L0KM)
Date sent: Sat, 31 Jan 2009 08:30:26 -0800

> If your is not the proper office to handle this, please forward it to the
> correct office, and provide me with the e-mail address of your data
> controller. I cannot find any e-mail address on your Web site for Air
> France's data controller or for data protection and access requests.

> Sincerely,

> Edward Hasbrouck

> On 31 Jan 2009 at 11:44, "Air France Contact FR" <Air France Contact FR
> <contact.fr.fr@airfrance.fr>> wrote:

> Date sent: Sat, 31 Jan 2009 11:44:48 +0100 (CET)
> From: Air France Contact FR <contact.fr.fr@airfrance.fr>
> To: Edward Hasbrouck <edward@hasbrouck.org>
> Subject: Re: Assistance - Autres (KMM13303017I5L0KM)

> > Dear Edward Hasbrouck,

> > We do not seem to be concerned by your previous mail.Our help desk only
> > deals with reservations made on www.airfrance.fr and we never received
> > the airmail you refered to.Maybe your query was misdirected and should be
> > forwarded to another help desk.

> > Best regards

> > The airfrance.fr help desk

> >

> >
> >
> >
> > Société Air France, Société Anonyme au capital de 1 901 231 625
> > Euros, immatriculée au registre du Commerce et des Sociétés de Bobigny
> > sous le numéro d'identification 420 495 178. Siège social: 45 rue de
> > Paris 95747 Roissy CDG Cedex
> >
> >
> >
> >
> > Le message d'origine suit : -----
> > Sélectionnez le thème de votre question. : Autres
> > Civilité..... : M.
> > Nom..... : Hasbrouck
> > Prénom..... : Edward
> > Téléphone..... : 14158240214
> > E-mail..... : edward@hasbrouck.org
> > Etes-vous porteur d'une carte Air France ou KLM ? : Non
> > Référence de la réservation..... : ZDWTIN
> > Nom du passager..... : HASBROUCK
> > Prénom du passager..... : EDWARD
> > Numéro de vol..... : 083
> > Date..... : 13/01/09
> > Votre message..... : Please acknowledge and respond
> > to the attached letter (previously sent by registered airmail).
>
>

Attachments:
Documents\AF\AF-request.pdf

Edward Hasbrouck
<edward@hasbrouck.org>
<<http://hasbrouck.org>>
+1-415-824-0214

EDWARD HASBROUCK
1130 Treat Avenue, San Francisco, CA 94110, USA
phone +1-415-824-0214
edward@hasbrouck.org
<http://hasbrouck.org>

mardi, le 24 mars 2009

Direction Juridique
Air France
45, rue de Paris
95747 Roissy CDG CEDEX
FRANCE
par télécopieur: +33-1-41-56-67-19

Demande de droit d'accès sur place aux informations

Mesdames et Messieurs:

Je suis un client d'Air France, qui voudrai exercer mon droit d'accès à mes données.

Je n'ai trouvé aucun détail sur le site Web d'Air France concernant la personne responsable pour les fichiers de données à caractère personnel.

J'ai envoyé la lettre ci-jointe, avec mon "Demande de droit d'accès aux informations", par courrier enregistré au siège centrale d'Air France. J'ai envoyé cette lettre le 21 janvier 2009. (J'ai envoyé une copie de Paris avant mon vol, et j'ai envoyé une autre copie le même jour de San Francisco après mon vol.) Il y a plus de deux mois, mais je n'ai reçu aucune réponse.

La "Commission nationale de l'informatique et des libertés" (CNIL) m'ont donner seulement le nom du "Service Juridique" et cette nombre de télécopieur pour entrer en contact avec un responsable de fichier d'Air France auprès de qui exercer mes droits.

Je partirai demain pour un séjour en Europe pendant les deux semaines prochaines. Parce que vous n'avez pas repondez à mon courrier, il n'y a rien d'autre pour moi à faire sauf arrêter mon voyage a Paris, aller a votre service, et exercer mon droit d'accès à mes données sur place.

Je me présenterai à votre bureau le jeudi ou le vendredi, le 2 ou le 3 avril. Répondez s'il vous plaît par courrier électronique, et avis-moi les coordonnées exact de votre service, et l'horaire d'ouverture de votre service et du responsable fichier auprès de qui exercer mes droits.

Je voudrai consultez sur place et recevoir une copie complète de l'ensemble de mes données, et d'une explication de leur signification, comme dans ma lettre ci-jointe.

Je vous prie pardon pour mon français très limité. Tous mes communications avec Air France ont été en anglais, et j'ai acheté mon billet Air France sur votre site Web en anglais.

Je vous prie d'agréer, Mesdames et Messieurs, l'expression de mes salutations distinguées.

Edward Hasbrouck

March 25, 2009

Mr. Edward Hasbrouk
1130 Treat Ave.
San Francisco, A 94110

Dear Mr. Hasbrouk,


We acknowledge receipt, without prejudice, of your letter of January 21, 2009, addressed to the Data Controller of Air France at our corporate headquarters address in Paris. The return address being in the United States, it appears that our central mail office inadvertently rerouted your letter to the USA customer service offices of Air France, located in Fort Lauderdale, FL, which, in turn rerouted your correspondence to our Paris office for response due to the specific nature of your inquiries.

Please be assured of Air France's intention to respond fully to your letter. We have been advised that our Paris office is finalizing its correspondence to you that should be completed shortly and mailed to you at your San Francisco address. We would like to apologize for this delay in Air France's response, but wish to assure you of our attention and commitment to addressing your inquiries.

Thank you in advance for your continued patience, and once again, please accept our apologies for this delay.

Sincerely,

AIR FRANCE



Joan Gabel
U.S. Counsel

From: Edward Hasbrouck <edward@hasbrouck.org>
To: Joan Gabel <jogabel@airfrance.fr>
Subject: Re: request for access to personal data
Date: Wed, 25 Mar 2009 13:33:34 -0700

Thank you for your message, and for sending it by e-mail.

As I had already advised the "Direction Juridique" of Air France by fax yesterday (see attached copy), I am leaving for Europe tonight, so I won't receive any physical deliveries until after my return April 12th.

With respect to the specifics in your letter, the only reason I was forced to send my request to the general address for Air France's head office was that Air France failed to provide any more precise contact address (and, in fact, failed to provide any contact information or notice of data subjects' rights under French data protection law). I believe this illustrates exactly why French law requires you to designate a point of contact for such requests. I trust that, having seen the problems you have caused yourselves by failing to provide the required notice of a responsible person or department, and a means to contact them, you will forthwith have a notice such added to your English-language Web sites.

I did everything possible to direct my letter to the appropriate office: I noted on the envelope "Attn: Data Controller", and I headed the letter in boldface, in French, "Demande de droit d'accès aux informations" above the English "Subject: Request for access to personal data".

After receiving no reply to my *written* request within the time limit set by law, I have already made plans to alter my next European trip (at considerable expense in time and money) so as to pass through Paris for a day in order to exercise my right to access your records in the only other remaining manner, *sur place* (in person) at your offices, as is my right.

As I have already advised the "Direction Juridique", in order to ensure that they have ample forewarning and ample (further) time to have all my data, and a full explanation of it, available for inspection and copying, I will be at their office either Thursday or Friday, April 2nd or 3rd.

I have asked the "Direction Juridique", to provide me with their exact location (as I'm sure you know, Air France's headquarters at that address at CDG Airport is a large complex of buildings), and the hours they are open and that the responsible person(s) will be available on those days.

Anything you can do in getting me the necessary information to enable me to exercise my rights next week "sur place" would be much appreciated.

In particular, I would appreciate your assistance in identifying the building and/or room number, the hours of operation of that office on those dates, and if at all possible a contact name, direct phone number, and e-mail address. I would also appreciate any assistance you can provide in ensuring that your colleagues in Paris have a complete copy of all of your records pertaining to me, and a complete explanation of the meaning of that data, available for me at that place and time.

I have also advised the French data protection authority, CNIL, of Air France's failure to respond to my request as required by law. It was only through the assistance of the CNIL, in response to my complaint against Air France, that I was referred to the "Direction Juridique" as the responsible section within Air France, or obtained their fax number.

I look forward to meeting with the "Direction Juridique" next week, and to reviewing and obtaining a copy of your complete dossier about me and a complete explanation of the meaning of the information in that dossier.

I would also be interested in what steps you and Air France are taking to bring Air France's English-language Web site directed at customers in the USA into compliance with French data protection law, which governs all

operations of Air France worldwide as a French corporation.

Sincerely,

Edward Hasbrouck

Attachments:

- Documents\AF\AF-request.pdf
- Documents\AF\AF-request2.pdf

Legal Affairs Department
DB.AJ 15-2009/CG

Edward HASBROUCK
1130 Treat Avenue
San Francisco, CA 94110
USA

JP: 5

Roissy, 31st of March, 2009

Dear Sir,

In a letter sent to Air France on 21 January 2009, you asked to make use of your right to access the data concerning you held in our system pursuant to the French Data Protection Act (Act n°78-17 of 6 January 1978 on Data Processing, Data Files and Individual Liberties, amended).

Last January you flew with Air France, reserving and paying for your ticket on our "airfrance.us" website, for a round-trip journey from San Francisco, to Paris CDG and Brussels (SFOCDG on 13/01/09 – CDG Brussels on 14/01/09 – Brussels CDG on 20/01/09 and CDGSFO on 21/01/09).

As you know, for many years now, the airline industry has been organized around a set of software applications allowing passengers to make reservations with the airlines of their choice regardless of the country they find themselves in, to buy their ticket, and to be recognized when they arrive at check-in. To achieve this, Air France (as "participating carrier" and not as "subscriber") uses the services of a global reservations system called Amadeus, which collects the data needed to organize a journey in a reservation file. These data are then integrated into the proprietary Air France operational systems used to organize flights and check passengers in.

These systems are all designed to create a transportation contract and to honor it.

I – In this respect, and more precisely, the only data we have concerning you are those which you yourself entered when you created your reservations file, or Passenger Name Record (PNR), which was used to organize your trip end-to-end, namely your chosen Air France flights and train journeys, and to satisfy the individual requirements you noted (ie, special seat reservations and meals).

./.

According to Amadeus regulations, and given the finality of the processing described above, the reservations file, for the period of its validity, was accessible, in respect of yourself by:

- Société Air France, which created it,
- All travel agencies, provided they were in possession of the exact file number and your name,
- The Amadeus help desk, which is authorized to search the files of the airlines that use the Amadeus system, on request of involved airline.

I append in Annex 1 a copy of your reservation file, which was archived 72 hours after the end of your last flight leg (CDG-San Francisco, on 21 January 2009), and which is now only accessible to Amadeus at the request of Air France, and in such cases, specific criteria (Name/ Flight/ Date/ Reservation number) must be supplied to obtain an answer. Obtaining these data can only be done by a limited number of accredited personnel in the framework of their activity.

No other reservation system was involved in the process of your reservation.

Check-in data or flight data are kept by Air France for two years after the end of the last flight leg, in compliance with the legal obligations of the Montreal Convention for the Unification of Certain Rules for International Carriage. Annex 2 contains a copy of your flight file.

Air France also retains, in its passenger revenues system only, your ticket payment data (see Annex 3).

These two systems and their archives are accessible to accredited Air France personnel for professional reasons, and data in them are never at any time transmitted outside Air France.

II – During your trip to Europe, you took the train between CDG and Brussels with an Air France AF 7183 travel contract on the outward leg and an AF 7186 contract on the return leg, and you requested that a special meal be served you aboard of flight AF 83 on 13/01/09 and AF 84 on 21/01/09.

Generally and to enable us to check our passengers in from origin to destination, data must be sent by the reservation system to the check-in system via a SITA special telegram known as the PNL (Passenger Name List). This is a normal procedure used for all Air France flights, and is also used worldwide by all airlines. The PNL complies with IATA industry standards. Generally speaking, individual data are exchanged between airlines and Departure Control Systems (DCS) in order to provide the special services requested by their passengers.

With respect to yourself, and insofar as the Paris CDG – Bruxelles Midi (ZJR, the code of the Brussels mainline station) is operated by train but also deemed to be a flight operation in the way it is handled, the PNL concerning you was supplied by SITA to the Air France Departure Control System used at CDG and Brussels alike by Air France personnel. The PNL contained nothing other than your name, the number of your PNR, your ticket and flight coupon, and the code for the Brussels train station (ZJR). Your PNL was destroyed by SITA four days after your last flight on 21 January 2009. For this reason, we are not in a position to provide you with a copy of it.

When our passengers request special meals, which are provided on flights lasting more than two and a half hours (which was your case on the two legs to and from San Francisco, the information is sent to our catering subcontractors 24 hours ahead of time. This is however, only in digital form (Type of meal/Quantity/Cabin). On board, the flight crew only have a paper list of the passengers present on the flight, their seat number, and the corresponding requests for special meals when they exist. After each flight these lists are forwarded to the department responsible for flight reports and are used only as regards any incidents that may have been reported during the flight, after which they, too, are destroyed. We are not, therefore, in possession of the list containing your name, seat number and type of meal tray requested.

At this stage therefore, all personnel acted solely in the framework of the transport contract under Air France responsibility, notably as regards the protection of personal data.

III - This being so, there remain the subjects of the PNR and of the APIS data which European airlines are required to forward to certain authorities, and US authorities in particular, for all flights departing, crossing and traveling to the United States. It is therefore your reservation file and the APIS data it contains, as annexed to the present letter, which were notified to the American TSA and CBP, the sole agencies to which these travel data were notified for your January 2009 journey. On this precise point, Air France complies with United States law (Aviation Transportation Security Act, 2001; Homeland Security Act, 2002; Intelligence Reform and Terrorism Prevention Act, 2004), in the framework of the agreement signed on 23 July 2007 between the European Union and United States of America concerning the processing and transfer of passenger data (PNR data) by airline carriers to the US Department of Homeland Security (DHS).

Please find enclosed a copy of article V-3 of the general terms and conditions of carriage of Société Air France (Annex 4), which are an integral part of the transport contract, and which inform our passengers of the processing which Air France carries out on their personal data. These general terms and conditions are also set out on our website.

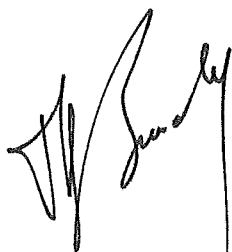
In your letter you refer to Paragraph 5 of Article 39 of the French Data Protection Act (Act n°78-17 of 6 January 1978 on Data Processing, Data Files and Individual Liberties, amended) which authorizes a passenger to request "information allowing him to know and to object to the logic involved in the automatic processing, in the case of a decision taken based on automatic processing and producing legal effects in relation to the data subject" such as questioning or searches of your person or baggage or such as to prompt us to identify you as a "selectee", and you ask us to inform you about the logic leading to such a decision by us or any person in receipt of your personal data.

This request is unjustified with respect to your journey as the data used by Air France served only to provide you with the transport you requested, and currently there is no processing of your personal data of this nature at Air France.

However, and insofar as you wrote to Air France on 21 January 2009, a file in your name has been opened in our commercial information system designed to handle passenger claims. Only your name and address are currently stored in this file and will remain there for a period of five years (Annex 5).

In conclusion, nobody else than Air France, Amadeus on Air France requesting and US Authorities has actually any personal data relative to you. All of your personal data are attached in the annexes.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Jean-Marc Bardy', written in a cursive style.

Jean-Marc Bardy,
General Counsel

Annexe 1

Passenger Name Record (PNR)

1/ dossier de réservation :
1/1 partie active

RP/NYCAF08AA/NYCAF08AA SF/SU 07JAN09/2347Z ZDWTIN

1.HASBROUCK/EDWARD MR(ADT)

2 AF 083 N 13JAN09 2 SFOCDG HK1 FLWN

3 AF7183 L 14JAN09 3 CDGZXR HK1 FLWN

4 AF7186 L 20JAN09 2 ZYRCDG HK1 FLWN

5 AF 084 N 21JAN09 3 CDGSFO HK1 FLWN

6 AP 1-4158240214

7 APE AF@HASBROUCK.ORG

8 TK OK07JAN09/NYCAF08AA

9 SSR RQST AF HK1 SFOCDG /41AN,P1/S2

10 SSR RQST AF HK1 CDGSFO /41AN,P1/S5

11 SSR [REDACTED] AF HK1 /S2 *(special meal type redacted)*

12 SSR [REDACTED] AF HK1 /S5

13 SSR DOCS AF HK1 [REDACTED]

*(Redacted: Travel Document Type,
Document Number, Issuing Country,
Nationality, Date of Birth, &
Name on Document)*

14 SSR DOCA AF HK1 R/US

15 OP FLLAF0103/06JAN/55C0

16 RM PRICING ENTRY

FXPIR,U,UP,NYC:NYC/A2,3-NLXEFUS2/A4,5-NLXEFUS2

17 RM INTERNET

18 RM *M123WEB-T

19 RM FARE: 748.12 USD

20 RM MOD:ETICKET

21 RM CCN: [REDACTED] *(Name on credit card of person paying for tickets redacted)*

22 RM ACCEPT BY CYBERSOURCE 100

23 RM EXACT MATCH

24 RM ///CHANGES NOT PERMITTED////TKT IS NN REFUNDABLE///WEB
07/01/09

25 FA PAX 057-2177513631/ETAF/07JAN09/NYCAF08AA/33993120/S2-5

26 FB PAX 0600236922 TTP/ET OK ETKT 2177513631 HASBRO/S2-

5

27 FE PAX NON-ENDORS/AF/ONLY/S2-5

28 FP CC [REDACTED] /N04662Z

(Credit card type, number, & expiration date redacted)

29 FS AXZA33993120

30 FV PAX AF/S2-5

31 AB HASBROUCK,1130 TREAT AVE ,SAN FRANCISCO CA 94110 US

32 AM /ETE/AF@HASBROUCK.ORG

ligne 1 : nom/prénom

lignes 2 a 5 : vols réservés : no de vol/classe/date/jour semaine/parcours/HK1 = OK pour une place/FLOWN = ce vol est un vol qui a eu lieu sinon on a les horaires

ligne 6 : no de tél déclaré par le client

ligne 7 : adresse email déclaré par le client

ligne 8 : date limite d'achat du billet mis par le site internet d'air france aux états unis (NYCAF08AA)

ligne 9 et 10 : réservation du siège 41A pour le segment San Francisco Roissy et idem pour le retour

lignes et 12 : réservation d'un repas musulman pour les deux segments San francisco roissy et retour

ligne 13 : données APIS (données passeport transmises aux douanes américaines)

P = passeport /code pays émission passeport/n° passeport/nationalité/date

naissance/genre/date validité document/nom/prénom figurant sur le passeport/H = holder

ligne 14 : R/US = résidence US

ligne 15 : dossier mis en file d'appel le 06jan
 ligne 16 : remarque sur le tarif
 ligne 17 : resa faite par internet
 ligne 18 : Identifiant du service internet
 ligne 19 : montant
 ligne 20 : billet électronique
 ligne 21 : réponse à la question : nom du détenteur de la carte (nom déclaré par la personne qui fait la réservation sur internet)
 ligne 22 : vérification du paiement par cybersource
 ligne 23 : réponse de cybersource
 ligne 24 : remarques sur les conditions tarifaires
 ligne 25 : émission du billet : no du billet / électronique/date émission/par internet/ code iata du site émission/segments 2 à 5
 ligne 26 : reprise du no du billet + nom du passager
 ligne 27 : reprise de conditions tarifaires
 ligne 28 : mode de paiement CC = carte de crédit, CA = mastercard/no carte tronqué*/validité/no accord framis par la banque
 ligne 29 : code IATA crédit du montant de la vente
 ligne 30 : compagnie validatrice du billet, AF (air france) sur les segments 2 à 5
 ligne 31 : adresse déclarée par le client
 ligne 32 : adresse email pour envoi du memo voyage

* certains services ont le no en entier (ex : prévention des fraudes/requisitions) mais ceci est lié à une signature en amadeus particulière qui donne une habilitation

1/2 partie historique (où apparait tout ce qui est ci dessus + d'éventuelles autres réservations qui ont ensuite été annulées ou des échanges de billets + adresses codées des sites qui ont créé ou modifié ce dossier) :

RPP/RLC-ZDWTIN

000 ON/HASBROUCK/EDWARD MR(ADT)
 000 OS/AF 083 N 13JAN 2 SFOCDG LK1 335P1125A+1/NN *1A/E*
 000 OS/AF7183 L 14JAN 3 CDGZyr LK11235P 212P/NN *1A/E*
 000 OS/AF7186 L 20JAN 2 ZYRCDG LK1 409P 546P/NN *1A/E*
 000 OS/AF 084 N 21JAN 3 CDGSFO LK11015A1255P/NN *1A/E*
 000 OQ/OPW-09JAN/1C7/AF REQUIRES TICKET ON OR BEFORE 09JAN/A
 F 083 N 13JAN SFOCDG/AF7183 L 14JAN CDGZyr/AF7186 L 20JA
 N ZYRCDG/AF 084 N 21JAN CDGSFO
 000 OQ/OPC-10JAN/1C8/AF CANCELLATION DUE TO NO TICKET/AF 083
 N 13JAN SFOCDG/AF7183 L 14JAN CDGZyr/AF7186 L 20JAN ZYR
 CDG/AF 084 N 21JAN CDGSFO
 000 RF-INTERNET BOOK ON LINE CR-NYCAF08AA - 33993120 SU 0001
 AA/RO-9C549077-NCEPI2AFE - 00000000 07JAN/0404Z
 001 SA/SSR RQST AF LK1 SFOCDG/41AN/AF 083 N 13JAN SFOCDG/HAS
 BROUCK/EDWARD MR(ADT)
 001 SA/SSR RQST AF LK1 CDGSFO/41AN/AF 084 N 21JAN CDGSFO/HAS
 BROUCK/EDWARD MR(ADT)
 001 SA/SSR [REDACTED] AFSS1/AF 083 N 13JAN SFOCDG/HASBROUCK/EDWARD
 MR(ADT) (special meal type redacted)
 001 SA/SSR [REDACTED] AFSS1/AF 084 N 21JAN CDGSFO/HASBROUCK/EDWARD
 MR(ADT)
 001 SA/SSR DOCSAFHK1 [REDACTED] (Redacted travel document type,
 number, country, date of birth, name)
 001 SA/SSR DOCAAFHK1 R/US/HASBROUCK/EDWARD MR(ADT)
 001 AO/OP FLLAF0103/06JAN/55C0
 001 AR/RM FARE: 748.12 USD
 001 AR/RM MOD:ETICKET
 001 AR/RM CCN:HASBROUCK EDWARD

001 RF-INTERNET BOOK ON LINE CR-NYCAF08AA - 33993120 SU 0001
AA/RO-9CBB2877-NCEPI2AFE - 00000000 07JAN/0410Z
002 QU/QE/FLLAF0103/55C0
002 RF-INTERNET BOOK ON LINE CR-NYCAF08AA SU 0001AA 07JAN/04
10Z
000/003 XT/TKXL 07JAN/0200/NYCAF08AA
003 AT/TKOK 06JAN/NYCAF08AA
003 AR/RM ACCEPT BY CYBERSOURCE 100
003 AR/RM EXACT MATCH
003 AF/FP CC [REDACTED] /N04662Z (*Reducted credit card number, type, expiration date*)
003 RF-INTERNET BOOK ON LINE CR-NYCAF08AA - 33993120 SU 0001
AA/RO-9CBB2877-NCEPI2AFE - 00000000 07JAN/0411Z
004 AB/AB HASBROUCK,1130 TREAT AVE, SAN FRANCISCO CA 94110 U
S
004 AM/AM /ETE/AF@HASBROUCK.ORG
004 RF-INTERNET BOOK ON LINE CR-NYCAF08AA - 33993120 SU 0001
AA/RO-9CBB2878-NCEPI2AFE - 00000000 07JAN/0411Z
005 RF-INTERNET BOOK ON LINE CR-NYCAF08AA - 33993120 SU 0001
AA/RO-9CBB2879-NCEPI2AFE - 00000000 07JAN/0411Z
003/006 CT/TKOK 06JAN/NYCAF08AA
003/006 AT/TKOK 07JAN/NYCAF08AA//ETAF
000/006 XO/OPW-09JAN/1C7/AF REQUIRES TICKET ON OR BEFORE 09JAN/A
F 083 N 13JAN SFOCDG/AF7183 L 14JAN CDGZYR/AF7186 L 20JA
N ZYRCDG/AF 084 N 21JAN CDGSFO
000/006 XO/OPC-10JAN/1C8/AF CANCELLATION DUE TO NO TICKET/AF 083
N 13JAN SFOCDG/AF7183 L 14JAN CDGZYR/AF7186 L 20JAN ZYR
CDG/AF 084 N 21JAN CDGSFO
006 AF/FB 0600236922 TTP/ET OK ETKT 2177513631 HASBRO/
AF 083 N 13JAN SFOCDG/AF7183 L 14JAN CDGZYR/AF7186 L 20J
AN ZYRCDG/AF 084 N 21JAN CDGSFO/HASBROUCK/EDWARD MR(ADT)
006 RF-AA CR-NYCAF08AA - 33993120 SU 0001AA/RO-9CBB2879-NCEP
I2AFE - 00000000 07JAN/0411Z
007 AF/FA 057-2177513631/ETAF/07JAN09/NYCAF08AA/33993120/AF
083 N 13JAN SFOCDG/AF7183 L 14JAN CDGZYR/AF7186 L 20JAN
ZYRCDG/AF 084 N 21JAN CDGSFO/HASBROUCK/EDWARD MR(ADT)
F 083 N 13JAN SFOCDG/AF7183 L 14JAN CDGZYR/AF7186 L 20JA
N ZYRCDG/AF 084 N 21JAN CDGSFO
000/006 XO/OPC-10JAN/1C8/AF CANCELLATION DUE TO NO TICKET/AF 083
N 13JAN SFOCDG/AF7183 L 14JAN CDGZYR/AF7186 L 20JAN ZYR
CDG/AF 084 N 21JAN CDGSFO
006 AF/FB 0600236922 TTP/ET OK ETKT 2177513631 HASBRO/
AF 083 N 13JAN SFOCDG/AF7183 L 14JAN CDGZYR/AF7186 L 20J
AN ZYRCDG/AF 084 N 21JAN CDGSFO/HASBROUCK/EDWARD MR(ADT)
006 RF-AA CR-NYCAF08AA - 33993120 SU 0001AA/RO-9CBB2879-NCEP
I2AFE - 00000000 07JAN/0411Z
007 AF/FA 057-2177513631/ETAF/07JAN09/NYCAF08AA/33993120/AF
083 N 13JAN SFOCDG/AF7183 L 14JAN CDGZYR/AF7186 L 20JAN
ZYRCDG/AF 084 N 21JAN CDGSFO/HASBROUCK/EDWARD MR(ADT)
007 RF-OC CR-OC 07JAN/0411Z
008 AR/RM EML-ITI-SENT TO AF@HASBROUCK.ORG AT 07JAN09 23:45
GMT
008 RF-DDIP PROC 07JAN/2345Z
009 AR/RM ///CHANGES NOT PERMITTED///TKT IS NN REFUNDABLE//
/WEB 07/01/09
009 RF-- CR-FLLAF0104 - 10992262 SU 6892SF/RO-70045A84-FLLAF
010J - 00000000 07JAN/2347Z

GAELE
AIR FRANCE

Recherche Dossier PAX

Perioda	13/01/2009 au 13/01/2009	Départ	SFO	Arrivée	CDG	Cie	Vol
Nom Pax	HASBROUCK	Classe Rése		Classe Transport		Remarque	REC
Billet		Siège		PNR		Carte	
Numéro Tag		Type bag					

Accueil

Recherche Dossier PAX

Activite des sites Gaetan

Analyse des corresp.

TCP Edifact

corresp.

TCP Edifact

Activite Fret et Chargement

Déconnexion

HASBROUCK EDWARDMR

Vol	AF 083	Mkt Vol		Date	13/01/2009
Départ	SFO	Arrivée	CDG	Escale finale	CDG

GENERALITES PAX

Classe Rése	N	Classe Transport	Y	Serv. vol prv	Y	Serv. vol rea	Y
Surcla/Décla		Statut	YK	Type Pax			MOML
Vol Initial		Date		Ref. PAD		Rmk (2)	TKNE
Genre	H	PNR	ZDWTIN	Billet	057 121775136313		
Coupon prélevé	O	Divergence nom/prv	N	Divergence relation	N	Recherche étendue	N

FIDELISATION

Cie Carte		Carte		Prog		Prime	N
-----------	--	-------	--	------	--	-------	---

ENREGISTREMENT

Transaction	CKE	Mode		Comptoir	DC8	AF	
Escale	SFO	No TID		166073	Signature agent	M349551	
Zone marquage		Heure marquage		C.A.B	O	Code barre	N
REC	108	Date	13/01/2009 13:37	Siège	41A	Liste d attente	N

CORRESPONDANCE

Vol Apport		Départ		Vol Emport	AF 7183	Arrivée	ZYR
------------	--	--------	--	------------	---------	---------	-----

BAGAGES

Nbr Bag	1	Poids Bag	15	Tags	0057213501 15
---------	---	-----------	----	------	---------------

GAELE
AIR FRANCE

Recherche Dossier PAX

Perioda	14/01/2009 au 14/01/2009	Départ	CDG	Arrivée	ZYR	Cie	Vol
Nom Pax	HASBROUCK	Classe Rése		Classe Transport		Remarque	REC
Billet		Siège		PNR		Carte	
Numéro Tag		Type bag					

Accueil

Recherche Dossier PAX

Activite des sites Gaetan

Analyse des corresp.

TCP Edifact

corresp.

TCP Edifact

Activite Fret et Chargement

Déconnexion

HASBROUCK EDWARDMR

Vol	AF 7183	Mkt Vol		Date	14/01/2009
Départ	CDG	Arrivée	ZYR	Escale finale	ZYR

GENERALITES PAX

Classe Rése	L	Classe Transport	C	Serv. vol prv	C	Serv. vol rea	C
Surcla/Décla		Statut	CK	Type Pax			TKNE
Vol Initial		Date		Ref. PAD		Rmk (1)	
Genre	H	PNR	ZDWTIN	Billet	057 221775136313		
Coupon prélevé	O	Divergence nom/prv	N	Divergence relation	N	Recherche étendue	N

FIDELISATION

Cie Carte		Carte		Prog		Prime	N
-----------	--	-------	--	------	--	-------	---

ENREGISTREMENT

Transaction	TCE	Mode		Comptoir	DC8	AF	
Escale	SFO	No TID		166073	Signature agent	M349551	
Zone marquage		Heure marquage		C.A.B	O	Code barre	N
REC	42	Date	13/01/2009 13:37	Siège	18A	Liste d attente	N

CORRESPONDANCE

Vol Apport	AF 083	Départ	SFO	Vol Emport		Arrivée	
------------	--------	--------	-----	------------	--	---------	--

BAGAGES

Nbr Bag	0	Poids Bag	0	Tags	
---------	---	-----------	---	------	--

GAELE

AIR FRANCE

Recherche Dossier PAX

- Accueil
- Recherche Dossier PAX
- Activite des sites Gaetan
- Analyse des corresp.
- TCP Edifact
- TCP Edifact
- Activite Fret et Chargement
- Deconnexion

Période	20/01/2009 au 20/01/2009	Départ	ZYR	Arrivée	CDG	Cie	Vol
Nom PAX	HASBROUCK	Classe Réso		Classe Transport		Remarque	REC
Billet		Siège		PNR		Carte	
Numéro Tag		Type bag					

HASBROUCK EDWARDMR								?
Vol	AF 7106	MktVol		Date	20/01/2009			
Départ	ZYR	Arrivée		CDG	ESCALE FINALE	CDG		
GENERALITES PAX								
Classe Réso	L	Classe Transport	C	Serv. vol prv	C	Serv. vol res	C	
Statut/Décla		Statut	CK	Type PAX			TKNE	
Vol Initial		Date		Ref. PAD		Rmk (1)		
Genre	H	PNR	ZDWTIN	Billet	057 321775136313			
Toupon prélevé	O	Divergence nom/pr	N	Divergence relation	N	Recherche étendue	N	
FIDELISATION								
CleCarte		Carte		Prog		Prime	N	
ENREGISTREMENT								
Transaction	CKE	Mode		Comptoir	DC8	AF		
Escale	ZYR	No TID		099101	Signature agent	6362890		
Zone marquage		Heure marquage		C.A.B	O	Code barre	N	
REC	33	Date	20/01/2009 15:47	Siège	03C	Liste d'attente	N	
CORRESPONDANCE								
Vol Apport		Départ		Vol Emport	AF 084	Arrivée	SFO	
BAGAGES								
Nbr Bag	0	Poids Bag		0	Tags			

GAELE

AIR FRANCE

Recherche Dossier PAX

- Accueil
- Recherche Dossier PAX
- Activite des sites Gaetan
- Analyse des corresp.
- TCP Edifact
- TCP Edifact
- Activite Fret et Chargement
- Deconnexion

Période	21/01/2009 au 21/01/2009	Départ	CDG	Arrivée	SFO	Cie	Vol
Nom PAX	HASBROUCK	Classe Réso		Classe Transport		Remarque	REC
Billet		Siège		PNR		Carte	
Numéro Tag		Type bag					

HASBROUCK EDWARDMR								?
Vol	AF 084	MktVol		Date	21/01/2009			
Départ	CDG	Arrivée		SFO	ESCALE FINALE	SFO		
GENERALITES PAX								
Classe Réso	N	Classe Transport	Y	Serv. vol prv	Y	Serv. vol res	Y	
Statut/Décla		Statut	YK	Type PAX			MOML TKNE	
Vol Initial		Date		Ref. PAD		Rmk (2)		
Genre	H	PNR	ZDWTIN	Billet	057 421775136313			
Toupon prélevé	O	Divergence nom/pr	N	Divergence relation	N	Recherche étendue	N	
FIDELISATION								
CleCarte		Carte		Prog		Prime	N	
ENREGISTREMENT								
Transaction	TCE	Mode		Comptoir	DC8	AF		
Escale	ZYR	No TID		099101	Signature agent	6362890		
Zone marquage		Heure marquage		C.A.B	O	Code barre	O	
REC	18	Date	20/01/2009 15:47	Siège	41A	Liste d'attente	N	
CORRESPONDANCE								
Vol Apport	AF 7186	Départ	ZYR	Vol Emport		Arrivée		
BAGAGES								
Nbr Bag	1	Poids Bag		15	Tags		0057055062 15 OK	

Annexe 3

STAR : (lié à des habilitations en fonction des métiers)

3/1 : partie souche comptable

STAR - XX2JCD1 RECETTE PASSAGE : CONSULTATION BDP 05/03/09 09:35:05
TP 057 archivée le 01/2009 solde IMPR : ZA501183
cie 057_ n°doc 2177513631 3 n°ordre 0 n°cpn 0 emi/uti 4 / 4

parcours SFO CDG ZYR CDG SFO
uf / eme 222 3399312 edc 0576611204 agt 001 date emi 07/01/09 mois ope 01/2009
origine type emis A tarification F princ/compl 0
nom pax HASBROUCK/EDWARD MR(ADT) nb pax 001 axza 3399312
total commission 0.00 USD total taxe 101.12 USD axze
paiement CC [REDACTED] *04662Z * 748,12*99008303*C *9/01/
carte(s) fiab 1.00 f.tarif 0 type seg S
mon cme USD montant 647.00 montant ovp 0.00
mon hote EUR montant 457.79 montant ovp 0.00
taux commission 0.00 serv. AGTD E solde 0.00 +

*(credit card type
& number redacted)*

3/2 partie utilisation des coupons :

cie 057_ n°doc 2177513631 3 n°ordre 0 emi/uti 4 / 4
emet 3399312 edc 0576611204 agt 001 d.emi 07/01/09 ope 01/2009 c.emi A c.tar F
facial 457.79 EUR solde 0.00 + pax HASBROUCK/EDWARD MR(AD)

1 rel SFO CDG cb NLXEFUS2 qpax WEB q.p. net 195.84
tr rel SFO PAR vol AF 0083 date vol 13/01/09 cl tr N ope 01/2009 etat 0
mont 195.84 + prix moyen 0 ref aps 77777 77777

2 rel CDG ZYR cb NLXEFUS2 qpax WEB q.p. net 33.06
tr rel PAR BRU vol AF 7183 date vol 14/01/09 cl tr N ope 01/2009 etat 0
mont 33.06 + prix moyen 0 ref aps 77777 77777

3 rel ZYR CDG cb NLXEFUS2 qpax WEB q.p. net 33.06
tr rel BRU PAR vol AF 7186 date vol 20/01/09 cl tr N ope 01/2009 etat 0
mont 33.06 + prix moyen 0 ref aps 77777 77777

4 rel CDG SFO cb NLXEFUS2 qpax WEB q.p. net 195.83
tr rel PAR SFO vol AF 0084 date vol 21/01/09 cl tr N ope 01/2009 etat 0
mont 195.83 + prix moyen 0 ref aps 77777 77777

2. Date limite d'émission du Billet

Si le Passager n'a pas effectué le paiement de son Billet avant la date limite d'émission prévue, telle qu'indiquée par le Transporteur ou son Agent Accrédité, la Réservation pourra être annulée et la place attribuée à un autre Passager.

3. Données personnelles

Le Passager communique au Transporteur, ou à son Agent Accrédité, des données personnelles le concernant dans le but d'effectuer une Réservation, d'obtenir des prestations annexes et des services complémentaires, de faciliter les formalités d'immigration et d'entrer sur le territoire d'un Etat. A cette fin, le Passager autorise le Transporteur à conserver les données collectées et à les transmettre à ses propres agences, à ses Agents Accrédités, aux Transporteurs au sens de l'article 1 ci-dessus, aux prestataires de services annexes ci-dessus mentionnés et/ou aux Autorités gouvernementales quel que soit le pays et sous réserve du droit applicable.

Le Passager concerné dispose d'un droit d'accès et de rectification sur les données à caractère personnel ainsi collectées, conservées et transférées, dans la mesure où celles-ci s'avèreraient inexactes ou incomplètes.

4. Attribution des sièges

Le Transporteur s'efforce de satisfaire les demandes d'attribution de siège, mais ne peut garantir l'attribution d'un siège donné, même si la Réservation est confirmée pour ledit siège. Le Transporteur se réserve le droit de modifier l'attribution des sièges à tout moment y compris après l'embarquement, en raison d'impératifs liés à l'exploitation, à la sécurité ou à la sûreté.

5. Re-confirmation des Réservations

(a) Les Réservations pour un vol en continuation ou de retour peuvent être soumises à re-confirmation, dans certains délais. Le Transporteur indiquera dans quel cas une re-confirmation sera nécessaire et comment y procéder. Si le Passager ne re-confirme pas, alors qu'il lui a été demandé de le faire, le Transporteur pourra annuler ses Réservations pour les vols en continuation et/ou de retour. Toutefois, si le Passager informe le Transporteur qu'il souhaite toujours voyager et s'il y a de la place sur le vol en question, le Transporteur rétablira la Réservation du Passager. S'il n'y a pas de place sur ce vol, le Transporteur s'efforcera de transporter le Passager jusqu'à un prochain aéroport ou jusqu'à sa destination finale.

(b) Si, au cours de son voyage, le Passager utilise les services de plusieurs Transporteurs, au sens de l'article 1, il lui appartient de vérifier auprès de chacun d'eux si des re-confirmations sont nécessaires. Dans ce cas, le Transporteur auprès duquel la re-confirmation doit être faite est celui dont le Code de Désignation apparaît sur le Coupon de Vol.

6. Annulation des Réservations sur un vol en continuation ou en retour

Si le Passager ne se présente pas à l'enregistrement d'un vol, le Transporteur pourra annuler ses Réservations pour les parours en continuation ou en retour, sauf si le Passager en a informé par avance le Transporteur et dans le respect des conditions tarifaires (voir, notamment, article III.3 « Ordre d'utilisation des coupons »).

ARTICLE VI

ENREGISTREMENT/EMBARQUEMENT

1. Les Heures Limites d'Enregistrement (HLE) sont variables d'un aéroport à l'autre. Il est recommandé au Passager de se renseigner au préalable. Le Passager devra impérativement respecter les Heures Limites d'Enregistrement, afin de faciliter son voyage et pour éviter que ses Réservations ne soient annulées. Le Transporteur ou son Agent Accrédité fournira au Passager toutes les informations nécessaires sur l'Heure Limite d'Enregistrement du premier vol sur ses lignes. Si le voyage du Passager comporte des parours ultérieurs, il lui appartient de se renseigner sur les Heures Limites d'Enregistrement, par consultation des Horaires du Transporteur ou de ses Agents Accrédités.

2. Le Passager doit arriver au comptoir d'enregistrement du Transporteur suffisamment tôt avant le départ du vol, afin d'accomplir toutes les formalités et, en tout état de cause, avant l'Heure Limite d'Enregistrement indiquée par le Transporteur.

Si le Passager ne se présente pas avant l'Heure Limite d'Enregistrement au comptoir d'enregistrement du Transporteur ou ne se présente pas avec un document correspondant au voyage concerné et que le Passager se trouve donc dans l'impossibilité de voyager, le Transporteur peut annuler la place qui lui a été réservée et en disposer, sans aucune responsabilité envers le Passager.

3. Quand un Coupon de Vol n'est pas retiré au comptoir d'enregistrement, au moment où le Passager reçoit sa carte d'embarquement, le Coupon en question reste sous la garde du Passager et celui-ci devra remettre le Coupon au Transporteur au moment de l'embarquement.

4. Le Passager doit être présent à la porte d'embarquement au plus tard à l'heure indiquée lors de l'enregistrement. Le Transporteur pourra annuler la Réservation du Passager si celui-ci ne s'est pas présenté à la porte d'embarquement à l'heure indiquée, sans aucune responsabilité envers le Passager.

5. La responsabilité du Transporteur ne pourra être recherchée en aucune manière, notamment pour toute perte, dommage ou dépense, si le Passager n'a pas respecté les conditions du présent article.

ARTICLE V

RESERVATIONS

1. Reservation Requirements

(a) Reservations are not confirmed until they are accepted and recorded by the Carrier or its Authorised Agent in the computerised reservation system. If requested, the Carrier may provide a Reservation confirmation.

(b) Certain Fares may be subject to conditions that limit or exclude the possibility of changing or cancelling Reservations.

2. Ticketing Time Limit

If a Passenger has not paid for their Ticket before the specified ticketing time limit, as notified by the Carrier or its Authorised Agent, the Reservation may be cancelled and the seat allocated to another Passenger.

3. Personal Data

Passengers shall provide the Carrier, or its Authorised Agent, with their personal data for the purpose of making a Reservation, obtaining ancillary and complementary services, facilitating immigration formalities and entering the territory of a State. To this end, Passengers shall authorise the Carrier to retain the data collected and to the transfer said data to its own agencies, its Authorised Agents, to the Carriers, as defined by Article 1 above, to the ancillary service providers mentioned above and/or the government agencies, regardless of the country and subject to the applicable law.

The Passengers concerned shall be entitled to access and amend the personal data thus collected, stored and transferred, to the extent that said data is found to be inaccurate or incomplete.

4. Seat Allocation

The Carrier shall make reasonable efforts to meet seat allocation requests, but cannot guarantee the allocation of a given seat, even if the Reservation is confirmed for said seat. The Carrier reserves the right to change the seat allocation at any time, including after boarding, due to operating, security or safety imperatives.

5. Reconfirmation of Reservations

(a) Reservations for onward or return flights may be subject to re-confirmation, within certain time limits. The Carrier shall state when reconfirmation is required and how to reconfirm. If a Passenger does not reconfirm, even though they were requested to do so, the Carrier may cancel their Reservations for the onward and/or return flights. However, if the Passenger informs the Carrier that they still wish to travel and if there are available seats on the flight concerned, the Carrier shall reinstate the Passenger's Reservation. If there are no available seats on said flight, the Carrier shall endeavour to transport the Passenger to an onward airport or to their final destination.

(b) If, during their journey, a Passenger uses the services of several Carriers, as defined by Article 1, it is their responsibility to check with each Carrier if reconfirmations are required. In this case, reconfirmation must be provided to the Carrier whose Designator Code appears on the Flight Coupon.

6. Cancellation of Reservations on an Onward or Return Flight

If a Passenger does not check in for a flight, the Carrier may cancel their Reservations for the onward or return legs, unless the Passenger has informed the Carrier in advance and in compliance with the fare conditions (see, in particular, Article III.3 "Coupon Order of Use").

ARTICLE VI

CHECK-IN/BOARDING

1. Check-In Deadlines (CID) vary from one airport to another. Passengers are recommended to check said Deadlines beforehand. Passengers must imperatively comply with Check-In Deadlines, in order to facilitate their journey and avoid their Reservations being cancelled. The Carrier or its Authorised Agent shall provide Passengers with all requisite information on the Check-In Deadline for their first flight with the Carrier. If the Passenger's journey contains subsequent flights, it is up to the Passenger to obtain information on the Check-In Deadlines, by consulting the Carrier's Schedules or those of its Authorised Agents.

2. Passengers must arrive at the Carrier's check-in desk sufficiently early before the flight, in order to carry out all the formalities and, in any event, before the Check-In Deadline specified by the Carrier. If a Passenger does not go to the Carrier's check-in desk before the Check-In Deadline or the Passenger is therefore unable to travel, the Carrier may cancel the seat reserved for them and dispose of the seat as the Carrier sees fit, without any liability toward the Passenger.

Individu > Coordonnées


Mr HASBROUCK edward

N° flying blue

Second Prénom

Date de Naissance

Fonction

Télécom 

Type	Cat.	Ind.	Région	Numéro	Sup	CC
RC-Dom	Fixe			14158240214		

e-Mail 

Type	e-Mail	Sup	CC
RC-Dom	edward@hasbrouck.org		

Individu > Adresses

Mr HASBROUCK edward

Adresse Flying Blue

Raison sociale

N° et rue

Complément

Lieu dit

Code Postal

Ville

Code Province

Pays

Adresse Relation Clientèle

Raison sociale

N° et rue 1130 TREAT AVENUE

Complément

Lieu dit

Code Postal 94110

Ville SAN FRANCISCO

Code Province CA

Pays ETATS UNIS

Affaire individuelle > Généralités

3737812001

R ●

CONTACT APRES VENTE

Mr HASBROUCK edward

Destinataire HASBROUCK
EDWARD
Bénéficiaire HASBROUCK
EDWARD

Site créateur	Site SEA	CRC créateur	Ios FIDELIO
Site traitant	Service Client USA	CRC traitant	Kevin Calder

Support entrant Courrier

Date d'arrivée	04MAR2009	Date 1er contact	30JAN2009
Date de création	31JAN2009		
Date de clôture	04MAR2009	Clôture définitive sans réponse	

Référence
Externe

Contrat FFP

Compagnie FFP

Remarques:

SPOKE W PAP ON PHONE/ADVISED CR NOT ABLE TO RESPOND AND WILL SHOW FILE TO SUPERVISOR/CLOS PENDING INFO/26FEB//KC
FILE TRANSFERRED TO NYC.AJ/CLOS PER JOAN GABEL//KC

Mr HASBROUCK edward

Date création	Date clôture	Statut de clôture	Référence affaire	Type incident	CRC traitant	Type de traitement	Site traitant
31JAN2009	04MAR2009	Clôture définitive sans réponse	3737812001	Divers	Kevin Calder	CONTACT APRES VENTE	Service Client USA

Date: Tue, 31 Mar 2009 13:45:37 -0800
From: Edward Hasbrouck <edward@hasbrouck.org>
To: Joan Gabel <jogabel@airfrance.fr>
Subject: Re: 2nd transmission (part 2)

Dear Ms. Gabel:

Thank you for the e-mail message as below. I just received 2 messages from you, including attachments with (part 1) a letter of 4 pages from M. Jean-Marc Bardy dated 31 March 2009, and (part 2) an annex of 12 pages.

Unfortunately, portions are illegible, at least on the screen of the small computer I have with me. Perhaps they are more legible in print, perhaps not. Other portions are unexplained, and still others are explained only in French more complicated than my limited ability.

I believe that this response is incomplete. The annex does not contain, and the letter does not mention, many of the specific categories of information which I requested, and which I believe existed or exist.

The letter indicates that certain of your records about me have been destroyed, after your receipt of my request for those records. My request specifically noted that time was of the essence for you to take action to ensure that responsive records were retained, and not destroyed, while my request was pending. I believe that the failure of Air France to preserve these records, and the destruction of these records, were violations of French law, as was your failure to respond to my written request within the time limit prescribed by law and as is your continuing failure to provide me with all of the data, and an intelligible explanation of that data, to which I am entitled.

Since I still have not received the information which I requested, and to which I am entitled, and since -- having received no response -- I had already been obliged to purchase nonrefundable train tickets via Paris and pay for a nonrefundable hotel room in Paris, I will attempt to exercise my right of access to this information in person on Thursday or Friday, as is my right and as I previously advised you.

If you could find out for me M. Bardy's hours on Thursday and Friday, and make sure he has the remaining information I requested available then for me to review and receive a copy of, I would be very grateful. I will ask for him by name at the entrance to the Air France headquarters, unless I receive more precise directions from you or from him.

I remain very interested in what steps have been or are being taken to ensure that Air France clients are informed of their rights and how to exercise them, and to ensure that future access requests from other Air France clients -- for which you should be prepared to respond as a matter of routine -- are properly, fully, and promptly answered.

I appreciate your offer to have a paper copy of your e-mail message delivered to me. That would have been useful, and possible, if you had responded within the time limit provided by law, while I was at home. However, as I explained in my previous messages, I will not receive anything delivered to my home until after I return to San Francisco April 12th. I am currently in Geneva, Switzerland. I will be at a conference tomorrow (Wednesday), not in a place where I could readily receive deliveries, and I will be on a train to Paris Thursday.

I'm sorry if you have gotten involved in a matter which perhaps someone else in your organization should have dealt with. I appreciate your having contacted me, when no one else from Air France had done so.

Sincerely,

Edward Hasbrouck

----- Message from jogabel@airfrance.fr -----

Date: Tue, 31 Mar 2009 16:09:39 -0400
From: Joan Gabel <jogabel@airfrance.fr>
Reply-To: Joan Gabel <jogabel@airfrance.fr>
Subject: 2nd transmission (part 2)
To: edward@hasbrouck.org
Cc: Joan Gabel <jogabel@airfrance.fr>

>
> ----- Forwarded by Joan Gabel/NYC/AME/GRAF/FR on 03/31/2009 04:08 PM

>
> Jocelyne
> Mele/SIEGE/CDG/GR
> AF/FR
To
> edward@hasbrouck.org
> 03/31/2009 11:39
cc
> AM Joan Gabel/NYC/AME/GRAF/FR@GRAF
>
Subject
> Tr : part two

> Sir,
>
> Part two
>
> (See attached file: annexes part two.zip)
>
> Regards,

----- End message from jogabel@airfrance.fr -----

Edward Hasbrouck
<edward@hasbrouck.org>
<<http://hasbrouck.org>>
+1-415-824-0214

Legal Department
DB.AJ

Edward Hasbrouck

(Delivered at reception)

Roissy, 2 April 2009


Sir,

Enclosed you will find a copy of the letter send to you by e-mail on the 31st of March 2009, together with the documents attached thereto. This letter and attachments were also mailed on April 1, 2009 [by registered mail] to your personal address in San Francisco.

Mrs. Gabel has forwarded to us your email message of 31 March 2009 (05:45PM) in response to our letter.

Contrary to your assertions, we believe that we have fully responded to all of your questions and have complied with the obligations of article 39 of the French law no. 78-17 of 6 january 1978 as modified.

Very truly yours,



Jean Marc Bardy

Copy : Commission Nationale de l'Informatique et des Libertés

Direction des Affaires juridiques
DB.AJ

Edward Hasbrouck

(remis en mains propres)

Roissy, 2 avril 2009

Monsieur,

Nous vous confirmons par la présente que M. BARDY n'est actuellement pas disponible pour vous recevoir, étant en réunion à l'extérieur.

Nous vous confirmons par ailleurs vous avoir remis un dossier complet répondant ainsi à votre demande d'informations.

Agréez, Monsieur, nos salutations distinguées.

AIR FRANCE - DB.AJ
Direction des Affaires Juridiques
45, Rue de Paris
95747 ROISSY CDG Cedex

Le président

Monsieur Edward HASBROUCK
1130 Treat Avenue
94110 - SAN FRANCISCO
ETATS-UNIS D'AMERIQUE

Instruction du dossier :
Xavier DELPORTE

Paris, le

26 JUIN 2009

N/Réf. : AT/YPA/FF/JB/NF/XD/CLP091197

Saisine n° 09008172 (à rappeler dans toute correspondance)

Monsieur,

Je fais suite au courrier électronique qui vous a été adressé le 25 mars 2009 relatif à l'exercice de votre droit d'accès aux données vous concernant détenues par la société Air France.

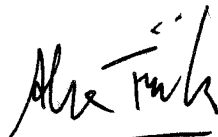
Ainsi que nous vous l'avons indiqué, nous sommes intervenus auprès de la société Air France afin qu'une suite favorable soit réservée à votre demande de droit d'accès conformément à l'article 39 de la loi du 6 janvier 1978 modifiée en août 2004.

La société Air France nous a précisé vous avoir adressé un courrier le 31 mars 2009 apportant des explications sur les traitements dans lesquels des données vous concernant figurent ou ont figuré. Une copie de ces données issues de ses systèmes informatiques vous a en outre été communiquée. J'observe que les codes utilisés sont explicités en note de bas de page rendant ainsi ces informations accessibles. Enfin, vous avez été reçu, à l'occasion d'un voyage en France, dans les locaux de la société Air France, le 2 avril 2009, pour évoquer votre dossier.

Au vu de ces éléments, je vous informe que je procède à la clôture de votre plainte.

A toutes fins utiles, j'attire votre attention sur les dispositions de l'article 39 II de la loi du 6 janvier 1978 modifiée en août 2004 qui prévoient que « *le responsable du traitement peut s'opposer aux demandes manifestement abusives, notamment par leur nombre, leur caractère répétitif ou systématique. En cas de contestation, la charge de la preuve du caractère manifestement abusif des demandes incombe au responsable auprès duquel elles sont adressées* ».

Je vous prie, Monsieur, d'agréer l'expression de mes salutations distinguées.



Alex TÜRK

Commission Nationale de l'Informatique et des Libertés

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RÉPUBLIQUE FRANÇAISE

Subject: RE: Saisine 09006481 (Hasbrouck)
Date: Thu, 02 Jul 2009 05:41:35 -0700
From: Edward Hasbrouck <edward@hasbrouck.org>
To: "DELPORTE Xavier" <xdelporte@cnil.fr>

J'ai le plaisir d'avoir reçu hier un courrier du 26 Juin 2009 de M. Alex Türk, Président de la CNIL, au sujet de mon Saisine no. 09008172.

Dans ce courrier, M. Türk dit que "La Société Air France nous a précisé" quelques choses. "Au vu de ces éléments, ... je procédé a la clôture de votre plainte", M. Turk.

Mais je crois q'un part de "ces éléments" n'est pas correcte ou vrais. Il serait plus facile pour moi de répondre, si j'avais une copie de la communication que vous avez reçu de la société Air France.

Peut-être je n'ai pas compris les procédures correctement. Mais je n'ai pas anticipé que vous procéderais a la clôture de ma plainte, avant d'avoir reçu les details de mon plaint ou ma réponse a la déclaration d'Air France.

J'ai demandé initialement l'aide de la CNIL seulement pour obtenir les coordonnées de la personne ou le bureau d'Air France qui est responsable pour la protection des données.

Vous avez fourni cette assistance, mais la societe Air France n'a pas me fournir une copie complète de mes données. J'ai écrit sur mon expérience, en anglais, dans un article sur mon weblog:

<http://hasbrouck.org/blog/archives/001679.html>

Air France n'ont pas me permit a voyer mes données ou de recevoir aucun explication de de mes données ou des omissions "sur place". Je n'ai pas été permit d'entrer dans leur bâtiment. Personne responsable n'était disponible pour me parler, et les personnel de la réception ne m'ont dites pas quand ou si quelqu'un responsable serait disponible.

Dans leur courrier a moi, ils ont admis qu'ils ont détruit une partie de mes données après avoir reçu ma demande. Ils ont indiqué que mes données est accessible à partir de n'importe quel pays du monde où Air France a un bureau ou un agent, y compris les pays qui n'ont pas une protection adéquate des données. Et ils n'ont fourni aucun enregistrement de quelles agents, bureaux, ou entrepreneurs, dans quels pays, en réalité ont reçu mes données.

J'ai attendu avec patience pour aucune réponse de plus d'Air France. Après avoir reçu aucune réponse de plus d'Air France, je suis en train de la préparation et la traduction de l'anglais au français d'un courrier avec une explication détaillée de ma plainte et des violations de la loi par Air France. Je le vous enverrai assez vite que possible.

Je vous prie d'agréer, Monsieur, l'expression de mes salutations distinguées.

Edward Hasbrouck