Additional PRs submitted since D3 – for example…

QQ-D#-R#	Possible Requirement – USERS/PURPOSES	Prerequisites/Dependencies	Ph	C	K
	objectives." Therefore, the assessment of necessity and proportionality is always done in relation to a specific measure envisaged by legislation. pg. 54	D26-R09], Legitimate Objectives			
[UP-D30-R25]	The first concern is that the language used in the draft adequacy decision does not oblige organisations to delete data if they are no longer necessary. This is an essential element of EU data protection law to ensure that data is kept for no longer than necessary to achieve the purpose for which the data were collected pg.57	Depends on Permissible Purpose	1	J	o
[UP-D59-R01]	According to the GAC, law enforcement should be defined as follows: "Law Enforcement Authority" is defined as "law enforcement, consumer protection, quasi-governmental or other similar authorities designated from time to time by the national or territorial government of the jurisdiction in which the privacy or proxy service provider is established or maintains a physical office."	None	1	CC	q
[UP-D59-R02]	To the extent this definition could be viewed as suggesting that P/P service providers need only respond to law enforcement authorities within their own jurisdiction, the PSWG urges the P/P WG to consider revising this definition. Malicious conduct involving domains often takes place across borders and the definition of law enforcement should recognize the multi-jurisdictional aspects of investigative and enforcement activities in order to promote protecting the public no matter where they are located. If such revisions are made, the Working Group should consider a requirement that a P/P service consult with its local law enforcement authorities in the event it receives a request from a foreign authority (to ensure that the local authorities believe that the request is a proper request from a recognized foreign authority).	Depends on [UP-D59-R01]	1	CC, ID	q, g
[UP-D59-R03]	There is a need for confidentiality in ongoing LEA investigations.	None	1	CC	q
[UP-D62-R01]	There should be RDS access provided to LEAs	None	1	CC	q
[UP-D62-R02]	When using a domain name from a person perspective, I wish my data would not be available to marketing purposes	None	1	AB	u
[UP-D62-R03]	When I buy something on the web, I would like to be able to access the registration data for the web page I am using to know it is the real company	None	1	AB	u
[UP-D62-R04]	There are a lot of third parties (not just LEAs) who have legitimate reasons for access to avoid their rights being infringed upon	None	1	AB	u
[UP-D62-R05]	Related to TM Clearinghouse notices, when notices are received, analysis that is performed includes going to see who is the registrant - this often eliminates the need for further action (~60-70%)	None	1	AB	u
[UP-D63-R01]	According to Outreach #2 Responses from the RySG, Requestors must show a valid reason for requesting PII (including name, phone number, address) of a registrant. For the majority of requestors, PII data is not needed and should be anonymized.	None	1	AB	u
[UP-D63-R02]	A list of parties who will have full access/grant access to RDS data should be created.	None	1	AB	u
[UP-D63-R03]	**Procedures of granting full access should be established and published to affected parties** (Registries/Registrars). *[consider reclassifying this as GA)*	None	1	AB	u

[47] Article 29 WP 33 Opinion 5/2000, Article 29 WP 41 Opinion 4/2001, and Article 29 WP 56 Working Document 5/2002

[48] U.S. Federal Communications Commission Proposed Rule FCC 16-39: Protecting the Privacy of Customers of broadband and Other Telecommunications Services

RDS PDP Initial List of *Possible* Requirements Draft #4 – as of 11 September 2016

[49] Los Angeles GAC Communiqué (16 October 2014)

[50] Singapore GAC Communiqué (11 February 2015)

[51] Marrakech GAC Communiqué (March 2016)

[52] London GAC Communiqué (25 June 2014)

[53] Singapore GAC Communiqué (27 March 2014)

[54] SAC051, Report on Domain Name WHOIS Terminology (2011)

[55] Dissenting Report from Stephanie Perrin [PDF, 108 Kb] by Stephanie Perrin, EWG Member

[56] Law Enforcement Due Diligence Recommendations for ICANN (2010)

[57] GAC Comments to New gTLD Program Safeguards Against DNS Abuse Report (19 May 2016)

[58] GAC Public Comments to 2013 RAA WHOIS Accuracy Specification Review

[59] GAC Comments to Initial Report on the PPSAI PDP (Sep 2015)

[60] Where Do Old Protocols Go To Die?, by Scott Hollenbeck, EWG Member

[61] building a better WHOIS for the Individual Registrant, by Carlton Samuels, EWG Member

[62] Possible Requirements identified during the ICANN56 Cross-Community Session on RDS

[63] RDS PDP WG 2nd Outreach Responses from the RySG (26 June 2016)

[64] WHOIS Study Group Report to the GNSO Council (2008)

Additional Key Input Documents (hyperlinked) to be inserted here as requirements are added.
Document titles and hyperlinks will be copied from (or as necessary, added to) these WG Wiki pages:
Key Input Documents and Questions posed by the Charter.

Annex A
All Source Docs – Including those new since D3

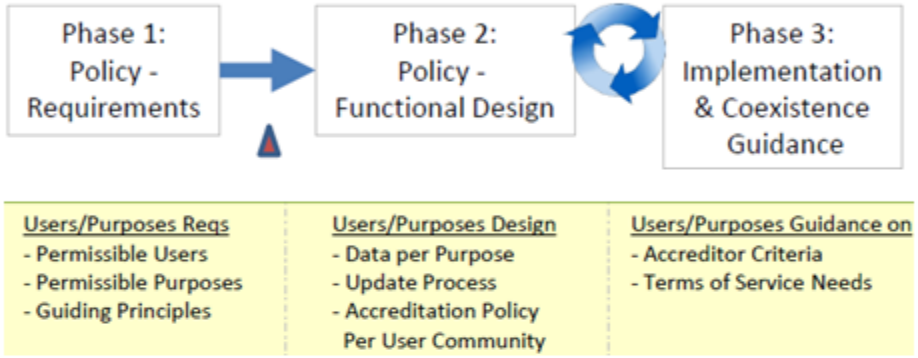
Review ?? PRs for relevance, for example….

QQ-D#-R#	Possible Requirement	Prerequisites/Dependencies	Ph	C	K
	require the verification and validation of credentials of registrants for the highly regulated Category 1 new gTLDs should be reconsidered. (Page 5)	Determination			
[PR-D49-R02]	The [2013 RAA] requirement to consult with relevant authorities in case of doubt about the authenticity of [Registrant] credentials should be reconsidered. (Page 5)	Depends on 2013 RAA	2	DB, J	n, o
[PR-D49-R03]	The [2013 RAA] requirement to conduct periodic post-registration checks to ensure that Registrants continue to possess valid credentials should be reconsidered. (Page 5)	Depends on 2013 RAA	2	DB, J	n, o
[PR-D49-R04]	The [2013 RAA] PIC Specification requirement for Category 2 new gTLDs to include a non-discriminatory requirement to provide registrants an avenue to seek redress for discriminatory policies should be amended. (Page 5)	Relevance to RDS?	??	??	??
[PR-D49-R05]	The GAC reaffirms its advice from the Toronto, beijing, Durban, buenos Aires, Singapore and London Communiqués regarding protection of IGO names and acronyms at the top and second levels, as implementation of such protection is in the public interest given that IGOs, as created by governments under international law, are objectively different right holders. (Page 6)	Relevance to RDS?	??	??	??
[PR-D49-R06]	Concerning preventative protection at the second level, notice of a match to an IGO name or acronym to prospective registrants, as well as to the concerned IGO, should apply in perpetuity for the concerned name and acronym in two languages, and at no cost to IGOs. (Page 6)	Relevance to RDS?	??	??	??
[PR-D49-R07]	Concerning curative protection at the second level, and noting the ongoing GNSO PDP on access to curative Rights Protection Mechanisms, any such mechanism should be at no or nominal cost to IGOs. (Page 6)	Relevance to RDS?	??	??	??
[PR-D51-R01]	In the Marrakech GAC Communiqué of March 9, 2016, the PSWG recommends against permitting websites actively engaged in commercial transactions – meaning the collection of money for a good or service – to hide their identities using Privacy/Proxy (P/P) Services. This includes domains used for websites that directly collect payment data, as well as for sites that promote a transaction but directly link to other sites that execute the transaction. The public is entitled to know the true identity of those with whom they are doing business. (Page 9)	Related to Privacy PR(s) for P/P Providers such as [PR-D01-R22]	1	H, BB	as, ac
[PR-D51-R02]	P/P services should only be permitted for those domains that are not actively conducting business transactions… Any person or entity that engages in commercial transactions invites the public to trust them with their funds and sensitive financial account information. Hence, any privacy interest should be balanced with the public's right to know the true identity of those with whom they are doing business. (Page 9)	Related to Privacy PR(s) for P/P Providers such as [PR-D01-R22]	1	H, BB	as, ac
[PR-D51-R03]	Domain name registration involving P/P service providers should be clearly labelled as such in the WHOIS. (Page 10)	Related to Privacy PR(s) for P/P Providers such as [PR-D01-R22]	1	H	as
[PR-D51-R04]	**P/P services should continue to be required to publish their relevant terms of service and to abide by** those published terms (as currently provided in the Interim Specification to the 2013 RAA). (Page 10)	**Related to Privacy PR(s) for P/P Providers such as [PR-D01-R22], 2013 RAA**	2	H, J	as, av

Users/Purposes (UP)

The following *possible* requirements address the charter question on Users and Purposes (UP):
Who should have access to gTLD registration data & why?

The process framework for this question (below) can be applied to categorize ***possible requirements*** into three phases:



Also in D4:
C = Codes
along with
K = Keywords

In the grid below, we identify the ***possible requirement*** for WG deliberation, any **prerequisites or dependencies** contained in that ***possible requirement***, and whether the ***possible requirement*** therefore falls into Phase 1, 2, or 3. Policies designed to meet **Phase 1** policy requirements should be considered in **Phase 2**, while implementation or coexistence guidance for Phase 2 policies should be considered in **Phase 3**. In addition, an initial attempt has been made to **group similar requirements by code (C) and keyword (K)**, allowing the table to be easily re-sorted or filtered – see Annex B for definitions.

QQ-D#-R#	Possible Requirement – USERS/PURPOSES	Prerequisites/Dependencies	Ph	C	K
[UP-D01-R01]	"In support of ICANN's mission to coordinate the global Internet's system of unique identifiers, and to ensure the stable and secure operation of the Internet's unique identifier system, information about gTLD domain names is necessary to promote trust and confidence in the Internet for all stakeholders." (p. 16, Section IIb, Purpose)	None	1	A	a
[UP-D01-R02]	"gTLD registration data [must be] collected, validated and disclosed for permissible purposes only." (p. 21, p. 31 Principle 6)	None	1	A	a
[UP-D01-R03]	gTLD registration directory services must "accommodate in some manner all identified permissible purposes", including the following users and permissible purposes. (pp. 21-25, 27-29)	Precedes [UP-D01-R04 to R14], Depends on Permissible Purposes, Permissible Users	1	A	a
[UP-D01-R04]	* Domain Name Control – "Creating, managing and monitoring a Registrant's own domain name (DN), including creating the DN, updating information about the DN, transferring the DN, renewing	Supports [UP-D01-R03]	1	EA	e

Annex B
Codes…

Annex B. Group and Coding Definitions

Coding (C) Column – Hierarchical codes that can be FILTERED to select subsets of possible requirements.
The table below provides a proposed coding of possible requirements to organize them into hierarchical groups to aid in deliberation.
The PDP WG may refine or add to the initial coding values below to examine new subsets.

	Code (C) Name	Code (C) Definition
A	Goals of System	PRs describing goals of RDS
AA	Transparency	PRs relating to transparency
AB	Differentiated (Gated) Access	PRs relating to differentiated or tiered access *(see the "Gated Access" Charter Question)*
AC	Authoritative Data	PRs relating to the goal of ensuring the reliability of the data, or the holdings most likely to be authoritative
AD	Accountability	PRs relating to the goal of accountability of the management of RDS
B	Functions	PRs relating to a broad range of functions of the RDS, or activities that are envisaged as taking place with the data
BA	Search & Query	PRs relating to the function of searching and querying in the RDS
BB	Certification & Authorization	PRs relating to certification functions with the RDS ecosystem, including potential end users and contracted parties
BC	Compliance	PRs relating to compliance with contractual or policy requirements *(see "Compliance" Charter Question)*
C	Potential Use of Data	PRs relating to the broad spectrum of potential use of the registration data *(see "Purpose" Charter Question)*
CA	Research	PRs related to research, including market research, legal research, consumer protection, academic, etc.
CB	Surveillance	PRs related to the broad use of RDS for surveillance purposes, including surveillance for compliance, for spotting cyber abuse, IP and trademark trends, etc.
CC	Investigation	PRs related to investigation, including LE, IP rights holders & agents, & cyber-security
D	Data Elements	PRs related to the data elements themselves *(see "Data Elements" Charter Question)*
DA	Contactability	PRs related to the characteristic of contactability, across a range of data elements
DB	Accuracy	PRs related to the characteristic of accuracy in data *(see "Data Accuracy" Charter Question)*
E	Legal Requirements	PRs related to legal requirements, in the broad sense, referring to statutes and treaties but not contracts

Annex B
Keywords…

Keyword (K) Column – Tags or keywords that can be FILTERED to group similar possible requirements into subsets.

The table below describes how proposed keywords were applied to group related possible requirements. Note that each possible requirement may be mapped to more than one keyword, and letters were assigned sequentially to keywords during mapping – for example, "aa" is not a subgroup of "a" - it is just the next letter assigned after "z." The PDP WG may refine or add to the initial keyword values below to examine new subsets.

	Keyword (K) Name	Keyword (K) Definition
a	Purpose	Any PR that describes a purpose for data in the RDS or why defining purpose is important
b	Contact Data for Technical Resolution	Any PR that describes how registration data is used for resolving a technical issue
c	Registration Data Query, Search and Disclosure	Any PR that describes searching for registration data
d	Policy Needs	Any PR that describes a possible registration data or directory policy (existing or future)
e	Identifying own Data & Access	Any PR that describes the need for registrants to review registrant's own information
f	Contact Data for other than Technical Resolution	Any PR that describes using contact information for reasons other than listed in B.
g	Proxy	Any PR that describes a need for or use of privacy proxy services or processes
h	Extensibility	Any PR that describes a need for RDS policies and implementation to be extensible
i	Research (other than for legal investigation)	Any PR that describes research of registration data for purposes other than legal investigations.
j	Legal Investigation	Any PR that describes research of registration data for legal investigations.
k	Registrar Transfer Policy	Any PR that describes policies for the inter-registrar transfer of registration data.
l	Consent	Any PR that describes to a need for a data subject's consent
m	Controller/Processor/Processing or Transfer of Data	Any PR that describes the obligations of a data controller or obligations of a data processor
n	Accuracy of Data	Any PR that describes the need for accurate registration data, validation policies or accuracy incentives
o	Retention of Data	Any PR that describes registration data retention needs or policies
p	Use of data for Surveillance	Any PR that includes the word "surveillance." (This WP 29 PR could be grouped with proportionality but I created this group due to the sensitivity of surveillance)
q	Law Enforcement Investigation	Any PR that contains the words "law enforcement authority" or "law enforcement access."
r	Proportionality of Use of Data	Any PR that refers to the word "Proportionality" or "proportional"
s	Gated Data Access	Any PR describes a need for controlled or restricted access to registration data.
t	Public Data Access	Any PR that describes a need for public (unrestricted) access to registration data.
u	Access Policies, including Authenticated Access	Any PR that describes policies that control registration data access and/or authentication for that access. (in reviewing anything that was mapped to U should be mapped to D)
v	Abuse	Any PR that contains the word "Abuse"

During review, please note

- Are PRs marked as ?? relevant to the RDS
- Are triaged phases and keywords correct?
- Are new codes correct for each individual PR?
- Are there essential PR sources still missing?
- See https://community.icann.org/x/shOOAw

Both Word & Excel versions of D4 to be posted there