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 9 **UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
 10 **OAKLAND DIVISION**

11 JOHN DOE #1 et al., )  
 12 )  
 13 Plaintiffs, )  
 14 vs. )  
 15 JOHN KERRY, in his official capacity as )  
 Secretary of State of the United States, et al. ) Case Number: 4:16-cv-00654-PJH  
 16 Defendants. ) **DECLARATION OF JONATHAN M.**  
 17 **ROLBIN**  
 18 )  
 19 )  
 20 )

21 I, Jonathan M. Rolbin, hereby declare under the penalty of perjury that the following is  
 22 true and correct:

- 23
- 24 1. I am the Director of Legal Affairs & Law Enforcement Liaison for the Passport Services
  - 25 Directorate in the Bureau of Consular Affairs, U.S. Department of State. I have held this
  - 26 position since January 2010.
  - 27 2. Among my many duties and responsibilities, I am also the official charged with
  - 28 responsibility for overseeing the U.S. State Department’s (“State Department”) role in the

1 implementation of the “passport identifier” provision set forth in Section 8 of  
2 International Megan’s Law to Prevent Child Exploitation and Other Sexual Crimes  
3 Through Advanced Notification of Traveling Sex Offenders (“IML”).

- 4
- 5 3. To date, the State Department has not completed the necessary process to begin  
6 implementation of Section 8. No U.S. passports have received unique identifiers as  
7 required by IML, nor is the State Department prepared to begin placing such identifiers  
8 on U.S. passports at the present time.
- 9
- 10 4. Section 4(e)(5) of the IML indicates that the new Angel Watch Center within the  
11 Department of Homeland Security (“DHS”) will identify the individuals to whom the  
12 passport identifier requirements would apply and convey this information to the State  
13 Department. Section 9 of the IML requires that the Secretary of Homeland Security, the  
14 Secretary of State, and the Attorney General develop a process to implement Section  
15 4(e)(5) and Section 8 and submit a report to a number of congressional committees  
16 regarding that process by 90 days after the date of enactment, or May 9, 2016. The report  
17 is to contain a description of the proposed process and a timeline and plan for  
18 implementation of the process, and is to identify the resources required to effectively  
19 implement the process.
- 20
- 21 5. The timeline and plan to be submitted to the congressional committees have not yet been  
22 completed. However, thus far, the State Department has identified numerous steps that it  
23 must complete before we begin placing the passport identifier into the passports of  
24 covered sex offenders. These steps are identified below:
- 25
- 26 a. The State Department and DHS must prepare and execute a memorandum of  
27 understanding between the agencies regarding the process and procedures for the  
28

1 transmission of data identifying covered offenders from DHS to the State  
2 Department. In addition, the State Department must create a system for receiving  
3 this data from DHS and establish processes, procedures and protocols within the  
4 State Department for transmitting the data into our Consular Lookout and Support  
5 System (“CLASS”).

6  
7 b. Technological changes and modifications must be made to the passport issuance  
8 system so that passports may be issued with a unique identifier.

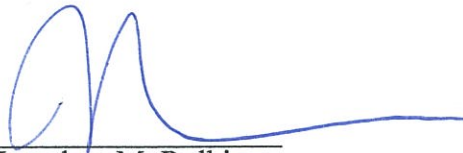
9  
10 c. The State Department intends to publish regulations regarding the  
11 denial/revocation of a passport without a passport identifier. These will need to  
12 be reviewed and approved by offices within the State Department and other  
13 federal agencies before they are published.

14  
15 d. In addition, the State Department will prepare changes to our Foreign Affairs  
16 Manual, which provides passport issuance guidance to our overseas consular  
17 posts and domestic passport agencies. The Department will also issue temporary  
18 written guidance as necessary for our consular posts overseas and domestic  
19 passport agencies.

20 6. Presently-unanticipated reasons could cause delay in implementing any one of the steps  
21 identified above. Absent that, it is my best estimate at the present time that we will not  
22 complete these necessary steps, and thus will not be prepared to implement the passport  
23 identifier provisions, until at least some time in the fourth quarter of calendar year 2016.  
24 As the steps identified above go forward, we will be able to identify a more definite time  
25 when we anticipate beginning implementation of the passport identifier provisions.  
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I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration was executed on March 2, 2016.



Jonathan M. Rolbin