

Mobility: immigration alert

May 2021

United States

Travel of U.S. Citizens with expired passports

Executive summary

On 22 May 2021, U.S. Customs and Border Patrol (CBP) issued guidance through the Carrier Liaison Program that allows U.S. citizens entry into the United States with expired passports. As of 21 May 2021, any U.S. citizen whose passport has expired on or after 1 January 2020 will be able to use an expired U.S. passport to return to the United States through 31 December 2021.

Background

The CBP utilizes the Carrier Liaison Program guidelines in order to provide standardized training and assistance to international air carriers related to admissibility and fraudulent document detection. Under previous guidance, international air carriers, at their discretion could deny the boarding of U.S. citizens who did not possess a valid passport at the time of travel. Until this new policy guidance, U.S. citizens would have been required to contact a U.S. Embassy or Consulate abroad in order to process a passport renewal before return travel to the United States.

The new guidance, which is in effect as of 21 May 2021, allows U.S. citizens with a passport that expired on or after 1 January 2020 to return to the United States through to 31 December 2021,

What this means

Travelers qualify for this new exception if all the following are true:

- ▶ The traveler is a U.S. citizen
- ▶ The traveler is currently abroad seeking to return to the U.S.
- ▶ The traveler is flying directly to the U.S, a U.S. territory, or have only a short-term transit (i.e. connecting flight) through a foreign country
- ▶ The person's expired passport was originally valid for 10 years. Or, if they were 15 years of age or younger when the passport was issued, the individual's expired passport was originally valid for 5 years;
- ▶ The expired passport is undamaged and in the person's possession.

Currently the Department of State website only lists the above qualifications, which reference air travel directly. It is unclear at this time if this exception will extend to land and sea travel as well.

We will continue to monitor and review future developments. For additional information, or if you wish to discuss this further, please contact your EY Law LLP professional.



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