

# TRAVEL CONCERNS REGARDING PASSPORT REQUIREMENTS

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**Q: I am planning to travel outside the U.S., will I need a passport to reenter the U.S.?**

A: In the past, U.S. citizens entering the United States from within the Western Hemisphere, other than Cuba, did not need to present a passport. A U.S. citizen inspected at an air or sea port-of-entry could present a driver's license, birth certificate, or other documentation that would satisfy the Bureau of Customs and Border Patrol as proof of U.S. citizenship. This procedure will soon change, however.

The Department of Homeland Security has issued a proposed rule that will affect travelers entering the United States at air and sea ports-of-entry beginning January 8, 2007. With limited exceptions, U.S. citizens entering the United States through an air or sea port-of-entry will have to present a U.S. passport, even if the foreign travel was within the Western Hemisphere.

The same proposed rule imposes the passport requirement on citizens of Canada, Bermuda, and Mexico who previously were permitted to enter the U.S. with documentation other than passports. Lawful permanent residents of the U.S. will be able to enter the country by presenting a valid permanent resident card or proof of permanent resident status.

If you have vacation plans after January 1, 2007 that will take you outside the United States, you should act now to apply for a U.S. passport. Travel within the United States, including travel to Guam, Puerto Rico, the U.S. Virgin Islands, American Samoa, Swains Island and the Commonwealth of the Northern Mariana Islands, does not require a U.S. passport, provided the trip does not also include travel to a foreign country.

U.S. travelers should be aware of the new passport requirement before leaving the United States after January 1, 2007. You should also advise friends and family from other countries of new procedures and documentation requirements when they visit the United States.

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Glenn M. Rissman received his juris doctorate, with honors, from the University of Florida College of Law and concentrates his practice primarily on labor and employment litigation and employment-based immigration and naturalization. The above article is for informational purposes only and should not be considered legal advice as to any specific matter. You should not act solely upon this information without consulting legal or other professional advice.

