

# Mobility: immigration alert

January 2021

## United States

### New COVID-19 test requirement prior to international air travel to the United States

#### Executive summary

The U.S. Centers for Disease Control and Prevention (CDC) has announced a new mandatory requirement in which all travelers flying into the U.S. from abroad must have a negative COVID-19 test procured within 72 hours prior to their departure. This will come into effect on 26 January 2021.

#### Background

The U.S. Centers for Disease Control and Prevention (CDC) has announced the implementation of a new mandatory requirement in which all travelers flying into the U.S. from abroad must have a negative result of a COVID-19 test prior to their scheduled departure. The order was signed by the CDC Director on 12 January 2021 and will become effective on 26 January 2021.

The negative COVID viral test must have been performed no more than 72 hours before boarding an aircraft for to the United States or the traveler must prove that he/she has had COVID-19 in the past and recovered.

This requirement is applicable to both U.S. citizens and all foreign nationals flying into the U.S. Those who fail to provide a negative test will be refused to board their flight by the carrier.

#### What this means

Individuals looking to enter the United States via air travel should be tested at a minimum of 72 hours prior to their scheduled departure time to the U.S. Travelers must provide written or electronic documentation of their negative test results or proof of having recovered from COVID-19. Airlines will confirm negative results or documentation of recovery prior to passengers boarding the aircraft. If a passenger cannot provide documentation of a negative test or recovery, the airline must deny boarding to the passenger.

Our recommendation: travelers and their employers should, before all travel, investigate whether discretionary and/or business travelers are able to obtain appropriate tests from their departure country. Remember that the new rule takes effect on 26 January 2021.

For more information on the recommendation and new requirements, please review the CDC information found here: [Testing and International Air Travel | CDC](#)

We will continue to monitor and review future developments.

For questions, or if you wish to discuss this development further, please contact your EY Law LLP professional.



**About EY**

EY is a global leader in assurance, tax, transaction and advisory services. The insights and quality services we deliver help build trust and confidence in the capital markets and in economies the world over. We develop outstanding leaders who team to deliver on our promises to all of our stakeholders. In so doing, we play a critical role in building a better working world for our people, for our clients and for our communities.

For more information, please visit [ey.com/ca](http://ey.com/ca).

Follow us on Twitter @EYCanada.

EY refers to the global organization and may refer to one or more of the member firms of Ernst & Young Global Limited, each of which is a separate legal entity. Ernst & Young Global Limited, a UK company limited by guarantee, does not provide services to clients. For more information about our organization, please visit [ey.com](http://ey.com).

**About EY Law LLP**

EY Law LLP is a Canadian law firm, affiliated with Ernst & Young LLP in Canada. Both EY Law LLP and Ernst & Young LLP are Ontario limited liability partnerships. EY Law LLP has no association or relationship with Ernst & Young LLP in the US, or any of its members. Ernst & Young LLP in the US does not practice law, nor does it provide immigration or legal services. For more information, please visit [EYLaw.ca](http://EYLaw.ca).

© 2021 EY Law LLP.

All Rights Reserved.

A member firm of Ernst & Young Global Limited.

EYG no. 000280-21Gbl

This publication contains information in summary form, current as of the date of publication, and is intended for general guidance only. It should not be regarded as comprehensive or a substitute for professional advice. Before taking any particular course of action, contact EY or another professional advisor to discuss these matters in the context of your particular circumstances. We accept no responsibility for any loss or damage occasioned by your reliance on information contained in this publication.

[ey.com/en\\_ca](http://ey.com/en_ca)

**George Reis, Managing Partner**  
+1 416 943 2535  
[george.reis@ca.ey.com](mailto:george.reis@ca.ey.com)

**Batia Stein, Partner**  
+1 416 943 3593  
[batia.j.stein@ca.ey.com](mailto:batia.j.stein@ca.ey.com)

**Roxanne Israel, Partner**  
+1 403 206 5086  
[roxanne.n.israel@ca.ey.com](mailto:roxanne.n.israel@ca.ey.com)

**Alex Israel, Partner**  
+1 416 943 2698  
[alex.d.israel@ca.ey.com](mailto:alex.d.israel@ca.ey.com)

**Christopher Gordon, Partner**  
+1 416 943 2544  
[christopher.d.gordon@ca.ey.com](mailto:christopher.d.gordon@ca.ey.com)

**Jonathan Leebosh, Partner**  
+1 604 899 3560  
[jonathan.e.leebosh@ca.ey.com](mailto:jonathan.e.leebosh@ca.ey.com)