

ABOUT US

At Borderlaw® we are, first and foremost, immigration law experts. Our exclusive focus means that we are able to provide expert advice and comprehensive services in an increasingly complex area of law.

PERSONAL SERVICES

When you contact us, you deal with a qualified and experienced lawyer who will take the time to identify and address your specific immigration issues.

FLEXIBILITY

We can help with a specific immigration problem or develop your business immigration plan. We provide services on a fixed fee basis or bill hourly, in US or Canadian currency, as per our clients' request.

REFERRALS

We value referral relationships. Because of our restricted practice area, we regularly assist Canadian, US & international law firms. We work hard to support you and your clients.

ACCOUNTABILITY

Qualified and licensed in Canada and the US, at Borderlaw® we adhere to stringent regulatory requirements applicable to practice, accounting and ethical conduct, in both countries.

NAN BERZOWSKI

BEREZOWSKI'S BORDERLAW®

*** UPDATE ***

Air Travel & COVID-19 *Arriving in the United States*

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Date: January 27, 2021

On January 12, 2021, the Center for Disease Control ('CDC') announced an Order requiring that air passengers, arriving in the United States from foreign countries, be tested no more than 3 days before their flight departs. Travelers must present a negative COVID-19 result, or documentation of having recovered from COVID-19, to the airline before boarding their flight. This Order is effective as of 12:01am EST on **January 26, 2021**.

Before boarding their flight, international travelers must provide the airline with:

- A satisfactory negative COVID-19 test result, **or**
- Documentation of recovery:
 - proof of a recent positive viral test; **and**
 - a letter from a healthcare provider or public health official stating that they have been cleared to travel*).

They must also make an Attestation (a statement or other representation under 18 U.S.C. § 1001) that confirms that the information provided is true.

*I note however, that CDC also indicates that: "A letter from your healthcare provider or a public health official that clears you to end isolation, e.g., to return to work or school, can be used to show you are cleared to travel, even if travel isn't specifically mentioned in the letter". As such, there may be some flexibility with respect to the letter.

Receiving a COVID-19 vaccine or testing positive for antibodies is insufficient. Travelers must present a negative COVID-19 test or a positive test and proof of recovery. Either a paper or electronic copy of these items will suffice. Passengers are required to retain a paper or electronic copy of their negative test result or documentation of recovery for the entirety of their itinerary. The Attestation is submitted to, and retained by, the airline.

The CDC Order applies to all air passengers 2 years of age or older traveling to the US; this includes US citizens and legal permanent residents. A negative test result for COVID-19 or documentation of recovery does not exempt a foreign national from travel restrictions outlined in Presidential proclamations.

The Order does not apply to air passengers flying from a US territory or possession (American Samoa, Guam, the Northern Mariana Islands, the Commonwealth of Puerto Rico, and the US Virgin Islands) to a US state. Of particular interest to Canadians, the Order does not apply at land border



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The principal lawyer at Berezowski Business Immigration Law, I am an internationally recognized Canadian lawyer (Ontario) and a licensed US Attorney-at-Law (New York) who has been featured in Who's Who Corporate Immigration for over a decade.

crossings.

Exemptions may be granted on an extremely limited basis when emergency travel (such as an emergency medical evacuation) must occur to preserve someone's life, health against a serious danger, or physical safety and testing cannot be completed before travel.

Nan Berezowski (BA. LL.B, LL.M) compiled this Update with the latest available information for the general information of Berezowski Business Immigration Law clients and other interested parties. This Update is not comprehensive and should not be relied upon without appropriate legal advice.