

H-2B Application for Temporary Employment Certification
Form ETA-9142B – Seafood Industry Attestation
U.S. Department of Labor



Attestation for Employers Seeking Staggered Border Crossings of H-2B Nonimmigrants Working in the Seafood Industry Under Section 113 of the Consolidated Appropriations Act, Public Law 113-76, 128 Stat. 5 (Jan. 17, 2014)

By virtue of my signature below, I hereby certify that the following is true and correct:

- (A) I am an employer in the seafood industry. (Seafood is defined as fresh or saltwater finfish, crustaceans, other forms of aquatic animal life, including, but not limited to, alligator, frog, aquatic turtle, jellyfish, sea cucumber, and sea urchin and the roe of such animals, and all mollusks.)
- (B) If I intend to bring H-2B nonimmigrants working in the seafood industry into the United States between 90 and 120 days after the start date of need contained on the **certified** Application for Temporary Employment Certification, Form ETA 9142B, and the **approved** Petition for a Nonimmigrant Worker, Form I-129, I will complete a new assessment of the labor market at least 45 days after the certified start date of need but before the 90th day after the certified start date of need, and offer the job to qualified U.S. workers, as follows:
1. I will list the job for which I seek to bring H-2B workers into the United States in local newspapers in the area of intended employment on 2 separate Sundays; and
 2. I will place new job orders for the job opportunity with the State Workforce Agency serving the area of intended employment and post the job opportunity at the place of employment for at least 10 days; and
 3. I will offer the job for which I seek to bring H-2B workers into the United States to any equally or better qualified U.S. workers who applies for the job and who indicates that they are be available at the time and place of need.
- (C) Workers seeking to enter the United States under the approved visa petition for my company have been provided with a copy of this attestation and instructed to present it upon request when seeking entry into the United States.

I hereby sign this under penalty of perjury:

Employer Name: _____

Employer Signature: _____

Date: _____

For public burden statement information, please see Form ETA-9142B General Instructions.

Public Burden Statement (1205-0509): Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. Public reporting burden for this collection of information is estimated to average 10 minutes to complete and distribute the Attestation. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this data collection is mandatory (Immigration and Nationality Act, 8 U.S.C. 1101, et seq.). Please send comments regarding this burden estimate or any other aspect of this information collection to the U.S. Department of Labor * Office of Foreign Labor Certification * Employment and Training Administration, * 200 Constitution Ave., NW, * Box PPII 12-200 * Washington, DC * 20210. **Please do not send the completed form to this address.**