

Employers' Attestation to Use Alien Crewmembers for  
Longshore Activities in the State of Alaska  
Form ETA 9033-A  
U.S. Department of Labor



A. Employer Information

1. Legal business name Boyang Ltd.		
2. Trade name/Doing Business As (DBA), if applicable		
3. Address 1 Trade Tower Suite 3604		
4. Address 2 511 Yongdong-Daro Gangman-Gu		
5. City Seoul	6. State	7. Postal code 135-729
8. Country Republic of Korea		9. Province
10. Telephone number, including area code 82-2-557-2144		11. E-mail address
12. Employer point of contact name Ilho Kim		13. Contact's job title Chief Executive Officer

B. Employer's U.S. Agent or Representative Information

Complete this section if the application is filed by employer's U.S. agent or representative.

1. Name of U.S. Agent or Representative Trans Pac. Inc.		
2. U.S. Business Address 130 Nickerson St., Ste. 313		
3. City Seattle	4. State WA	5. Postal code 98109
6. Telephone number 206-285-5271	7. Extension	8. E-Mail address tpiseattle@qwestoffice.net

C. Location(s) and Job Information at Location(s) in the State of Alaska

Complete this section for each location in the State of Alaska. Use attachments if additional space is needed or multiple locations are covered.

1. Name of Port and City SEE ATTACHMENT A	
2. Begin date of performance of the first activity by the alien crewmember (mm/dd/yyyy) 01/01/2021	3. Is the employer submitting this form less than 30 days from the first date of need? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <small>(If "Yes", include documentation to show that employer could not have reasonably anticipated the need to file an attestation for location in C.1. at that time.)</small>
4. Total number of crewmembers being requested	
5. Identify the longshore activities to be performed by alien crewmembers: (Choose all that apply) <input checked="" type="checkbox"/> a. Loading cargo <input checked="" type="checkbox"/> b. Unloading cargo <input type="checkbox"/> c. Handling of mooring lines <input checked="" type="checkbox"/> d. Operation of cargo-related equipment	
6. Enter job qualifications required to perform each activity identified in C.5 Operating cargo boom. Lifting and sorting boxes.	

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D. Employer Attestation

- ☒ 1. Before using alien crewmen to perform any longshore activity, the employer will make a bona fide request to the parties to whom notice has been provided under Item 4(ii) and (iii) below, for U.S. longshore workers who are qualified and available in sufficient numbers to perform the longshore activities at the particular time and location, except that:
- (i) whenever two or more contract stevedoring companies have signed a joint collective bargaining agreement with a labor organization described in Item 4(i) below, the request for longshore workers may be made to only one such stevedoring company, and
  - (ii) a request for longshore workers to any operator of a private dock may be made only for longshore work to be performed at that dock and only if the operator meets the requirements of Section 32 of the Longshore and Harbor Workers' Compensation Act.
- ☒ 2. During the validity period of this attestation, the employer will employ all U.S. longshore workers made available in response to the request for dispatch as attested in Item 1 above and who are qualified, available in sufficient numbers, and are needed to perform the longshore activity at the particular time and location.
- ☒ 3. The employer's use of alien crewmembers in any employ to perform any longshore activity is not intended or designed to influence an election of a bargaining representative for workers in the State of Alaska.
- ☒ 4. As of this date, the employer has provided notice of this attestation in compliance with 20 CFR 655.537(a)(1) to (include copies of notices):
- ☒ (i) Labor organizations which have been recognized as exclusive bargaining representatives of the U.S. longshore workers and which make available or intend to make available longshore workers to the particular location(s) where the longshore work is to be performed;
  - ☒ (ii) Contract stevedoring companies which employ or intend to employ U.S. longshore workers at the particular location(s) where the longshore work is to be performed; and
  - ☒ (iii) Operators of private docks at which workers will perform any longshore activity.

E. Declaration of Employer

Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the information provided on this form and accompanying documentation is true and correct. In addition, I declare that I will comply with the Department of Labor regulations governing this program and, in particular, that I will make this attestation, supporting documentation, and other records, files and documents available to official's request, during any investigation under this attestation or the Immigration and Nationality Act.

[Signature]  
Employer Signature (or employer's U.S. agent or representative)

11/13/2020  
Date

F. FOR U.S. GOVERNMENT AGENCY USE ONLY

By virtue of the signature below, the Department of Labor hereby acknowledges that this program attestation for the longshore activities is accepted for filing. The Department of Labor is not the guarantor of the accuracy, truthfulness or adequacy of an attestation accepted for filing.

This attestation is valid from JANUARY 1, 2021 to December 31, 2021

[Signature]  
Certifying Official

Department of Labor, Office of Foreign Labor Certification

400068  
Case number

December 1, 2020  
Acceptance Date (date signed)

Certified  
Case Status



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GENERAL INSTRUCTIONS

**IMPORTANT:** Please read these instructions carefully before completing the form. These instructions contain full explanations of the questions and attestations that make up the Form ETA 9033-A. *In accordance with Federal Regulations, incomplete or obviously inaccurate applications will not be accepted by the Department of Labor.*

Submit the completed original Form ETA 9033-A with accompanying documentation along with two copies of the form and accompanying documentation. Attestation must be received by the Department of Labor no later than 30 days prior to the first performance of the longshore activity (or anytime up to 24 hours before the first performance on the activity upon a showing that the employer could not have reasonably anticipated the need to file an attestation for that location at the time). Attestations which are filed less than 30 days prior to the first performance of the longshore activity must include supporting documentation to show that the employer could not have reasonably anticipated the need to file attestation for that location at that time. Attestations must be submitted to the Office of Foreign Labor Certification, Employment and Training Administration, U.S. Department of Labor, 11 West Quincy Court, Chicago, IL 60604-2105. **An employer may file a single attestation for multiple locations in the State of Alaska.**

Anyone, who knowingly and willingly furnishes any false information in the preparation of Form ETA 9033-A and any supporting documentation, or aids, abets, or counsels another to do so is committing a federal offense, punishable by fine or imprisonment up to five years or both (18 U.S.C. §§ 2, 1001). Other penalties apply as well to fraud or misuse of this immigration document and to perjury with respect to this form (18 U.S.C. §§ 1546, 1621).

**Section A. Employer Information**

1. Enter the full legal name of a business, firm or organization, or if an individual, enter name used for legal purposes on documents.
2. Enter the full trade name or "Doing Business As" (DBA) name, if applicable, of the business, person, association, firm, corporation, or organization, i.e., the employer filing this application.
3. Enter the street address of the employer's principal place of business.
4. If additional space is needed for the street address, use this line to complete the employer's street address.
5. Enter the city of the employer's principal place of business. If the city and country are the same, the name must still be entered in both fields.
6. Enter the state of the employer's principal place of business.
7. Enter the postal (zip) code of the employer's principal place of business.
8. Enter the country of the employer's principal place of business.
9. Enter the province of the employer's principal place of business, if applicable.
10. Enter the area code and telephone number for the employer's principal place of business. Include country code, if applicable.
11. Enter the e-mail address of the employer point of contact in the format name@emailaddress.top-level domain.
12. Enter name of the employer point of contact. An employer point of contact is an employee of the employer whose position authorizes the employee to provide information and supporting documentation concerning this Employer's Attestation to Use Alien Crewmembers for Longshore Activities in the State of Alaska and to communicate with the Department of Labor on behalf of the employer. The employer point of contact should be the individual most familiar with the content of this application and circumstances of the foreign worker's employment.
13. Enter the job title of the employer point of contact.

**Section B. Employer's U.S. Agent or Representative Information (if applicable)**

**Note:** The U.S. agent/representative information in this Section, specifically the name, telephone number, and e-mail address, must be different from the employer point of contact information in Section A.

1. Enter the full name of the agent/representative.
2. Enter the street address of the attorney/agent (address must be a U.S. address).
3. Enter the city of the attorney/agent.
4. Enter the state of the attorney/agent.
5. Enter the postal (zip) code of the attorney/agent.
6. Enter the area code and telephone number of the attorney/agent.
7. Enter the extension of the telephone number of the attorney/agent, if applicable.
8. Enter the e-mail address of the attorney/agent in the format name@emailaddress.top-level domain.

**Section C. Location(s) and Job Information in State of Alaska**

Employer may file a single Form ETA 9033-A for multiple locations in the State of Alaska. Use attachments if additional space is needed.

1. Enter the name of the port(s), and the city(ies) in the State of Alaska in which the port is located.
2. Enter the date of the first performance of the longshore activity.
3. Check appropriate box if claiming an unanticipated need.
4. Enter an estimate of the total number of crewmembers that the employer anticipates requesting for the activity specified for this attestation.
5. Longshore work is defined as activity relating to (1) loading of cargo, (2) unloading of cargo, (3) operation of cargo-related equipment, and (4) handling of mooring lines on the dock when a vessel is made fast or let go. The employer must check each activity it intends to perform.
6. Provide the qualifications required to perform each of the job(s) identified in C.5.

**Section D. Employer Attestation**

See 20 CFR § 655.534 through 655.537 of the regulations for guidance on the documentation that must be developed and maintained to meet the employer's burden of proof under the attestation elements.

**1. Bona Fide Request for Dispatch of U.S. Longshore Workers.**

The employer must attest that, before using alien crewmen to perform longshore work, it will make a bona fide request for the U.S. longshore workers who are qualified and available in sufficient numbers to perform the activity at the particular times and locations specified. The request for dispatch must be directed to the parties to whom notice of filing is provided under attestation element D.4 (ii) and (iii). Wherever two and more contract stevedoring companies have signed a joint collective bargaining agreement with a labor organization described in attestation element D.1 (i), the employer may request longshore workers from only one of such contract stevedoring company. A request for longshore workers to an operator of a private dock may be made only for longshore work to be performed at that dock and only if the operator meets the requirements of section 32 of the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 932). See § 655.534 of the regulations for a detailed explanation of this attestation element.

2. **Employment of U.S. Longshore Workers.** The employer must attest that all U.S. longshore workers made available in response to the request for dispatch under the first attestation element, item D.1, who are qualified and available in sufficient number and who are needed to perform the longshore activity at the particular times and locations specified will be employed to perform such activity. See § 655.535 of the regulations for a detailed explanation of this attestation element.



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3. No Intention or Design to Influence Bargaining Representative Election. The employer must attest that its use of alien crewmembers to perform longshore activities is not intended or designed to influence an election for a bargaining representative for longshore workers in the State of Alaska. See § 655.536 of the regulations for detailed explanation of this attestation element.
4. Notice of Filing. The employer must attest that at the time of filing the attestation, notice of filing has been provided to labor organizations which have been recognized as exclusive bargaining representatives of U.S. longshore workers and which make available or intend to make available workers to the particular locations where the longshore work is to be performed. Notice must also be provided to contract stevedoring companies which employ or intend to employ U.S. longshore workers at those

locations, and to operators of private docks at which the employer will use longshore workers. The copy of such notices must be submitted to ETA along with the Form ETA 9033-A. The notice must comply with 20 CFR 655.537(a)(2).

**Section E. Declaration of Employer**

One copy of this form must bear the original signature of employer or the employer's designated agent or representative unless filing by facsimile transmission. See §655.532(a) of the regulations if filing by facsimile transmission. By signing this form, the chief executive officer is attesting to the conditions listed in item D. 1 through 4 and to the accuracy of the information provided elsewhere on the form and in supporting documentation. False statements are subject to federal criminal penalties, as stated above.

If the attestation bears the necessary entries of information and includes required supporting documentation, the Department of Labor will accept the attestation for filing and shall document such acceptance on each of the three Form ETA 9033-A submitted. The Department will provide a copy of the accepted attestation to the Department of Homeland Security office having jurisdiction over the port where the longshore work will be performed by alien crewmen. A copy of the attestation indicating the Department's acceptance will be provided to the employer. The employer may then use alien crewmembers for longshore work at the port for which this attestation has been accepted in accordance with the Department of Homeland Security regulations, unless the Department subsequently acts to suspend or invalidate the attestation. If the employer's attestation is not accepted because it is incomplete or inaccurate, the Department will return the attestation to the employer.

A copy of this attestation, along with accompanying documentation, will be available for public inspection at the Office of Foreign Labor Certification, 200 Constitution Avenue, N.W., Room C4312, Washington, D.C. 20210 or OFLC website at <http://www.foreignlaborcert.doleta.gov>.

**OMB Public Burden Statement** - Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. Respondents' obligation to reply to these reporting requirements are required to obtain or retain benefits (8 U.S.C. 1101 et seq.). Public reporting burden for this collection of information is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Labor, Office of Foreign Labor Certification, Box 12-200, 200 Constitution Avenue, N.W., Washington, D.C. 20210 (OMB control Number 1205-0309).

**ALASKA EXCEPTION "LOCATIONS" LIST**  
(Addendum to Form ETA 9033-A)

**Attestor:** Boyang Ltd.

(4 PAGES)

**Date:** March 18, 2020

**First Performance of Activity:** April 20, 2020 - All locations

**Activity:** (i) Loading Cargo; (ii) Unloading Cargo; (iii) Operation of cargo-related equipment --  
All locations

**Locations:** See list below

**ALASKA PENINSULA SOUTH SIDE LOCATIONS**

Alinchak Bay	Kujulik Bay
Balboa Bay (North of Unga Island)	Kukak Bay
Belkofski Bay	Little Koniuji Island
Big Koniuji Island	Morzhovoi Bay
Chignik Bay	Nagai Island
Cold Bay	Pavlof Bay
Dolgoi Harbor	Sanak Island
Dorenoi Bay	Sand Point (Popof Island)
East Anchor Cove (Near False Pass)	Simeonof Island
Grosvold Bay (Korovin Island)	Squaw Harbor (Unga Island)
Ikatan Bay	Stepovak Bay
Ivanof Bay	Volcano Bay (Between Pavlof Bay &
Kinak Bay	Belkofski Bay)
King Cove	West Anchor Cove (Near False Pass)
Kuiuika Bay	Zachary Bay (Unga Island)

**ALEUTIAN ISLANDS LOCATIONS**

Adak (Sweeper Cove; Adak Is.)	Boot Bay (Unalaska Is.)
Adak Bight (E. side; Adak Is.)	Broad Bay (Unalaska Is.)
Akutan Bay (Aktan Is.)	Chernofski Harbor (Unalaska Is.)
Alimuda Bay (Unalaska Is.)	Dutch Harbor (including Captains Bay,
Amchitka Island	Summers Bay)
Amlia Island	Eagle Bay (Unalaska Is.)
Aspid Bay (Unalaska Is.)	Egg Bay (Atka Is.)
Attu Island	English Bay (Unalaska Is.)
Banner Bay (Atka Is.)	Explorer Bay (Atka Is.)
Bay of Waterfalls (Adak Is.)	Finger Bay (Adak Is.)
Beaver Bay (Atka Is.)	Hive Bay (Unalaska Is.)
Beaver Inlet (Unalaska Is.)	Inanudak Bay (Umnak Is.)
Bechevin Bay (Atka Is.)	Kagalaska Island (E. of Adak Is.)
Blind Cove (Adak Is.)	Kalekta Bay (Unalaska Is.)
Blue Berry Bay (Unalaska Is.)	Kashega Bay (Unalaska Is.)

Kiska Island  
 Kismaliuk Bay (Unalaska Is.)  
 Kobakof Bay (Atka Is.)  
 Korovin Bay (Atka Is.)  
 Kuliliak Bay (Unalaska Is.)  
 Kuluk Bay (Adak Is.)  
 Little Sitkin Is.  
 Litte Tanaga Is.  
 Lost Harbor (Akun Is.)  
 Makushin Bay (Unalaska Is.)  
 Nazan Bay (Atka Is.)  
 Open Bay (Unalaska Is.)  
 Protection Bay (Unalaska Is.)  
 Pumicestone Bay (Unalaska Is.)  
 Raven Bay (Unalaska Is.)  
 Russian Bay (Umnak Is.)

Scabbard Bay (Adak Is.)  
 Sedanka Is. (Beaver Inlet; Unalaska Is.)  
 Semisopochnoi Is.  
 Sergief Bay (Atka Is.)  
 Skan Bay (Unalaska Is.)  
 Staraya Bay (Unalaska Is.)  
 Station Bay (Unalaska Is.)  
 Tanaga Bay (Tanaga Is.)  
 Three Arm Bay (Adak Is.)  
 Three Island Bay (Unalaska Is.)  
 Ulak Is.  
 Umak Is.  
 Usof Bay (Unalaska Is.)  
 Wall Bay (Atka Is.)  
 Wide Bay (Unalaska Is.)

#### **BRISTOL BAY LOCATIONS**

Clarks Pt. (including Ekuk)  
 Crooked Island (near Togiak)  
 Egegik  
 Hagemeister Strait  
 Kvichak Bay  
 Port Heiden

Port Moller  
 Nunavachak Bay  
 Nushagak Bay  
 Summit Island (near Togiak)  
 Togiak Bay  
 Ugashik Bay

#### **WEST COAST ALASKA AND OFFSHORE LOCATIONS**

Bethel  
 Besboro Island (Norton Sound)  
 Black Rock (Norton Sound)  
 Cape Avinof  
 Cape Denbigh (Norton Sound)  
 Cape Romanzof  
 Emmonak (Yukon River)  
 Egg Island (Norton Sound near St. Michael)  
 Goodnews Bay (near Plantinum)  
 Klikitarik

Kokechik Bay (near Cape Romanzof)  
 Mekoryuk (Nunivak Island)  
 Port Clarence (Seward Peninsula)  
 St. George Island (Pribilof Islands)  
 St. Michael (Norton Sound)  
 St. Paul Island (Pribilof Islands)  
 Security Cove (South of Goodnews Bay)  
 Toksook Bay (Nelson Island)  
 Tanunuk (Nelson Island)  
 Unalakleet (Norton Sound)

#### **PRINCE WILLIAM SOUND, ALASKA LOCATIONS**

Cordova  
 Fox Farm (Shelter Bay; east of Evans Is.)  
 Galena Bay  
 Jack Bay  
 Macleod Harbor (Montague Island)

McPhearson Passage (Naked Island)  
 Port Chalmers (Montague Island) Port  
 Etches (Hinchinbrook Island) Port  
 Fidalgo  
 Rocky Bay (Montague Island)

Sawmill Bay (Evans Island)  
Sawmill Bay (Port Valdez)  
Stockdale Harbor (Montague  
Island) Tatitlik Narrows  
Thumb Bay (Knight Island)

Two Moon Bay  
Unakwik Inlet  
Valdez  
Zaikof Bay (Montague Island)

#### **SOUTH CENTRAL/COOK INLET, ALASKA LOCATIONS**

Anchorage  
Homer  
Iniskin Bay (West side of Cook Inlet)  
Kamishak Bay (West side of Cook Inlet)

Port Graham  
Seldovia  
Seward

#### **KODIAK/AFOGNAK ISLANDS & ALASKA PENINSULA LOCATIONS**

Afognak Bay (Afognak Island)  
Alitak Bay (South end of Kodiak Is.)  
Dry Spruce Bay (Kodiak Island)  
Izhut Bay (SE side of Afognak)  
Kazakof Bay (Afognak Island)  
Kiliuda Bay (East side of Kodiak)  
Kizhuyak Bay (North side, Kodiak Is.)  
Kukak Bay (SE side, Alaska Peninsula)  
Kodiak City  
Larsen Bay (West side of Kodiak Island)  
Malina Bay (Afognak Island)  
Monashka Bay (North side of Kodiak Is.)  
Old Harbor (East side of Kodiak Island)

Paramanof Bay (Afognak Island)  
Perenosa Bay (Afognak Island)  
Port Bailey (Dry Spruce Bay; north end of  
Kodiak Island)  
Red Fox Bay (Afognak Island)  
Seal Bay (Afognak Island)  
Spiridon Bay (Afognak Island)  
Tonki Bay (Afognak Island)  
Uganik Bay (NW side of Kodiak Island)  
Uyak Bay (West side of Kodiak Island)  
Viekoda Bay (NW side of Kodiak Island)  
Zachar Bay (West side of Kodiak Island)

(Continued on next page)

## SOUTHEAST ALASKA LOCATIONS

Annette Bay (Annette Island)  
Bay of Pillars (West side of Kuiu Island)  
Bemers Bay (East side of Lynn Canal)  
Blank Inlet (Gravina Is. near Ketchikan)  
Boca De Quadra  
Bold Island (Revillagigedo Chanel near Ketchikan)  
Bostwick Inlet (Gravina Island across from Metlakatla)  
Carroll Inlet (Revillagigedo Island)  
Cholmondeley Sound (Prince of Wales Is.)  
Clover Bay (Prince of Wales Island) Craig (Prince of Wales Island, west side)  
Ebenkof Bay (Kuiu Island)  
Excursion Inlet (North of Icy Strait) Favorite Channel (South end of Lynn Canal) Fresh Water Bay (East side of Prince of Wales Island)  
Fresh Water Bay (East side of Chichagof Island)  
Neets Bay (in Revillagigedo Island)  
Nutkwa Inlet (W. side Prince of Wales Island; N. of Long Is.)  
Pelican  
Petersburg  
Port Camden (East side of Kuiu Island)  
Port Conclusion (East side of Baranof Island)  
Port Estrella (Prince of Wales Is.; SW of Craig)  
Port San Antonio (Baker Is. opposite Cape Chirikof)  
Port Santa Cruz (Suemez Island, SW of Port Estrella)  
Rowan Bay (West side of Kuiu Island)  
Saginaw Bay (North side of Kuiu Island on Fredrick Sound)  
Security Bay (North side of Kuiu Island)  
Shelter Island (Lynn Canal)  
Shipley Bay (Kosciusko Island, east of Kuiu Island)  
Sitka  
Smeaton Bay

Steamboat Bay (Noyes Island; west of George Inlet (Revillagigedo Island)  
Hamilton Bay (West side of Kupreanof Is.) Hoonah  
Juneau  
Kake (West side of Kupreanof Island)  
Kasaan Bay (East side Prince of Wales Is.)  
Keku Strait (Between Kuiu Is. & Kupreanof Is.)  
Kell Bay (East side of Kuiu Is.)  
Ketchikan  
Klawok (Prince of Wales Island, west side)  
Lincoln Island (Lynn Canal)  
Metlakatla (Annette Island)  
Moir Sound (including North Arm Niblack Anchorage, West Arm, & South Arm; Prince of Wales Island)  
St. James Bay (West side of Lynn Canal)  
Tangas Harbor (Annette Island)  
Thorne Arm (Revillagigedo Island)  
Trocadero Bay (Prince of Wales Island, SE of Craig)  
Warmchuck Bay (Heceta Island; west of Prince of Wales Island)  
Waterfall (Ulloa Channel between Prince of Wales & Suemez Island)  
Yakutat