

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



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**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: \_\_\_\_\_