



AUG - 2 2006

Honorable John M. Vittone
Chairman, Board of Alien Labor Certification Appeals
800 K St. N.W. Suite 400-N
Washington, D.C. 20001

Re: HealthAmerica, 2006-PER-1

Dear Judge Vittone:

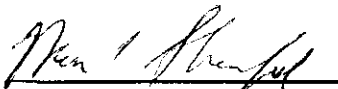
The Certifying Officers have carefully reviewed the Board's decision in HealthAmerica and they have concluded that no purpose would be served in filing briefs in the cases that were being held in abeyance awaiting the decision in HealthAmerica. While there are, potentially, significant factual differences between at least some of these cases and the facts in HealthAmerica, we believe that how those distinctions actually impact the adjudication of a particular case is more appropriately dealt with by the Certifying Officers in a new determinations.

Therefore, we request that the relief provided for in HealthAmerica be applied to all of the cases being held in abeyance. Those cases should be returned to the Certifying Officer for review in order to complete processing of these cases in accordance with that decision.

If you have any questions or need any further information, please contact me at (202) 693-5729.

Sincerely,

GARY M. BUFF
Associate Solicitor for
Employment and Training
Legal Services

By: 
HARRY L. SHEINFELD
Counsel for Litigation

cc: American Immigration Lawyers Association
American Immigration Law Foundation
American Council on International Personnel
Josie Gonzalez

