Resolution urging the U.S. Immigration and Naturalization Service (INS) to reopen the case of Israeli immigrant Yoav Shaul and grant him a second interview, and urging the INS to reform procedures for interviewing applicants for permanent residency.

WHEREAS, The San Francisco is comprised of many immigrant communities who have a deep concern about the administration of U.S. immigration laws; and,

WHEREAS, Yoav Shaul is an Israeli man who is petitioning for permanent residency in the U.S. based on his marriage to Veronica Klaus-Shaul, a U.S. citizen, on April 17, 2000; and,

WHEREAS, Ms. Klaus-Shaul is a transgender woman with an established female identity since 1989, who completed her sex reassignment surgery on March 2, 2000; and,

WHEREAS, Yoav Shaul and their attorney have provided all documentation requested by the INS including an original amended birth certificate and a notarized surgeon's statement attesting to Ms. Klaus-Shaul's sex reassignment; and,

WHEREAS, On April 18, 2001, Yoav Shaul and Veronica Klaus-Shaul were granted an initial INS interview for permanent residency and the interviewer indicated that she would recommend approval of their petition; and,

WHEREAS, In March of 2002, Mr. Shaul received notification from the INS through his attorney that his case was being referred to another office of the INS and that a second INS interview would likely take place in August or September of 2002; and,
WHEREAS, On October 1, 2002, Mr. Shaul, his wife, and their attorney all received letters stating that the petition for permanent residency had been denied due to failure to appear for a second interview scheduled on September 17, 2002; and,

WHEREAS, Despite staying in close contact with the INS through his attorney, and despite the fact that three letters of denial were sent, Mr. Shaul never received any initial notification of the September 17th interview and neither did his wife or his attorney; and,

WHEREAS, The U.S. Immigration and Naturalization Service places the high penalty of petition denial when applicants fail to appear for an interview, but makes no reasonable effort, such as certified mail, to ensure that notification has been received; and;

WHEREAS, The INS has offered no proof that Mr. Shaul or his attorney was notified of the September 17th interview; now, therefore be it,

RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby urges the U.S. Immigration and Naturalization Service to reopen the case of Yoav Shaul and grant him a second interview; and, be it

FURTHER RESOLVED, That this Board of Supervisors urges the U.S. Immigration and Naturalization Service to implement reasonable interview notification procedures which document that true notification of vital appointments has occurred and does not inherently assume the infallibility of INS staff or postal delivery; and, be it

FURTHER RESOLVED, That the Clerk of the Board of Supervisors will send copies of this resolution to James W. Ziglar, Commissioner of the Immigration and Naturalization Service, U.S. Senator Barbara Boxer, and U.S. Congresswoman Nancy Pelosi.

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**Supervisor Leno**

BOARD OF SUPERVISORS
Resolution urging the U.S. Immigration and Naturalization Service (INS) to reopen the case of Israeli immigrant Yoav Shaul and grant him a second interview, and urging the INS to reform procedures for interviewing applicants for permanent residency.

November 4, 2002 Board of Supervisors — ADOPTED
Ayes: 8 - Ammiano, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval, Yee
Absent: 3 - Daly, McGoldrick, Newsom

I hereby certify that the foregoing Resolution was ADOPTED on November 4, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Mayor Willie L. Brown Jr.