

1 [Urging the U.S. Immigration and Naturalization Service to reopen the case of Yoav Shaul and
2 urging reform of interview procedures.]

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

6
7 WHEREAS, The San Francisco is comprised of many immigrant communities who
8 have a deep concern about the administration of U.S. immigration laws; and,

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

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

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

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

20 WHEREAS, In March of 2002, Mr. Shaul received notification from the INS through his
21 attorney that his case was being referred to another office of the INS and that a second INS
22 interview would likely take place in August or September of 2002; and,

1 WHEREAS, On October 1, 2002, Mr. Shaul, his wife, and their attorney all received
2 letters stating that the petition for permanent residency had been denied due to failure to
3 appear for a second interview scheduled on September 17, 2002; and,

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

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

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

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

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

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



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails
Resolution

File Number: 021818

Date Passed:

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.

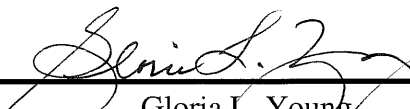
November 4, 2002 Board of Supervisors — ADOPTED

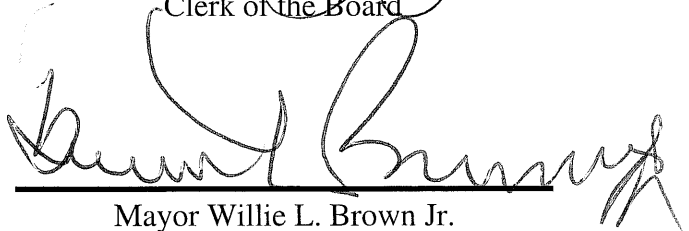
Ayes: 8 - Ammiano, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval, Yee
Absent: 3 - Daly, McGoldrick, Newsom

File No. 021818

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.

NOV 15 2002


Gloria L. Young
Clerk of the Board


Mayor Willie L. Brown Jr.

Date Approved