85TH CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
2d Session } { No. 1732

NISSIM S. TAWIL AND FAMILY

MAY 20, 1958.—Committed to the Committee of the Whole House and ordered to be printed

Mr. LANE, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 3889]

The Committee on the Judiciary, to whom was referred the bill (H. R. 3889) for the relief of Nissim S. Tawil, Esther Tawil (nee Goldman), Solomn Tawil, Isaac Tawil, Kathy Tawil, Jacqueline Tawil, and Sarina Goldman, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

The purpose of the proposed legislation is to relieve Nissim S. Tawil, Esther Tawil, Solomn Tawil, Kathy Tawil, Jacqueline Tawil, Isaac Tawil, and Sarina Goldman of all liability and responsibility to the United States based on departure bonds referred to in the bill and to cancel each bond.

STATEMENT

Nissim S. Tawil and his family, the persons named in H. R. 3889, were on the way from Japan to the United States when war broke out. The Japanese ship on which they were traveling therefore returned to Japan. At the time they held British passports and were therefore considered to be enemies by the Japanese. Mr. Nissim and his family suffered greatly during World War II. Their home and offices were bombed out completely, and the oldest boy became seriously ill from causes directly traceable to Allied bombings. Following the end of hostilities, all property which had been owned by the family in Shanghai was lost when the Chinese Communists occupied the city.

The British passports held by the family became invalid when the British evacuated Palestine. The result was that the Tawil family became stateless persons because they were not recognized as citizens under Israeli law.

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The evidence presented to this committee establishes that Nissim Tawil and his son Solomn entered the United States on October 2, 1946, and his wife and the other four children named in the bill entered on July 2, 1947. Their temporary periods of staying in the United States were extended until January 31, 1950. Since they were unable to leave by that date, it was held that the conditions of their departure bonds had been breached. This committee finds that the waiver of liability provided for in H. R. 3889 clearly should be granted on the grounds of the circumstances of this case. The Tawil family were faced with the prospect of having no place to go when they were refused an additional extension of their stay in the United States. Further, the boy whose health had been broken by the hardships suffered by the family during the war did not recover his health until he had been in the United States for 6 years, a period extending beyond the time limited for his stay. Finally, with the exception of Sarina Goldman, the adopted daughter of the family, all of the members of the family have been granted the status of permanent residents. On the basis of the appealing equities of this case this committee recommends that the bill be considered favorably.

UNITED STATES DEPARTMENT OF JUSTICE,
OFFICE OF THE DEPUTY ATTORNEY GENERAL,
Washington, D. C., August 5, 1957.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice relative to the bill (H. R. 3889), for the relief of Nissim S. Tawil, Esther Tawil (nee Goldman), Solomon Tawil, Isaac Tawil, Kathy Tawil, Jacquelin Tawil, and Sarina Goldman.

The bill would provide for the waiver of liability under, and cancellation of, certain departure bonds posted on behalf of Mr. and Mrs. Nissim S. Tawil and five children, including a ward of the family.

Review of the file in this case discloses that Nissim Tawil and his son Solomon were admitted to the United States at Miami, Fla., as temporary visitors on October 2, 1946. Mrs. Tawil and the four other children named in the bill were admitted as temporary visitors at San Francisco, Calif., on July 2, 1947. In connection with their applications for extension of their temporary stay, departure bonds were posted for them by the Indemnity Insurance Company of North America in the sum of $500 each to assure their departure before the expiration of their temporary stay. All of the aliens received extensions to October 8, 1949, but further extensions were denied, and they were directed to leave the United States on or before January 31, 1950. They all failed to do so and therefore violated the condition of their bonds. All were made the subjects of deportation proceedings but after hearing they were granted permission to depart voluntarily. The status of each of the aliens, except the ward of the family, was subsequently legalized through voluntary departure and preexamination, and they were admitted for permanent residence on May 31, 1956. Sarina Goldman, the ward of the family, was granted voluntary departure, but did not depart. A private bill to adjust her

status was subsequently introduced (H. R. 2962, 85th Cong.) but has not yet been enacted.

Since, however, they did not apply for the relief which led finally to the adjustment of their status, until after their bonds had been breached, there appears to be no basis on which waiver of liability on the bonds may be justified.

Accordingly, the Department of Justice is unable to recommend enactment of the bill.

The Bureau of the Budget has advised that there is no objection to the submission of this report.

Sincerely,

WILLIAM P. ROGERS,
Deputy Attorney General.

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