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SENATE

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REPORT
No. 1471

MICO DELIC

MAY 25, 1960.—Ordered to be printed

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

REPORT

[To accompany S. 2237]

The Committee on the Judiciary, to which was referred the bill (S. 2237) for the relief of Mico Delic, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended do pass.

AMENDMENT

In line 6, change the colon to a period and strike the remainder of the bill.

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant to the minor child to be adopted by a citizen of the United States the status of a non-quota immigrant, which is the status normally enjoyed by the alien minor children of U.S. citizens. The bill has been amended in accordance with the suggestion of the Commissioner of Immigration and Naturalization.

STATEMENT OF FACTS

The beneficiary of the bill is a 19-year-old native and citizen of Yugoslavia, who presently resides in that country with an uncle who is unable to support him. His parents are deceased, his father having been killed during World War II. His paternal grandfather, who desires to adopt him if he is permitted to enter the United States, is a naturalized citizen of the United States who entered the country in 1913. His first wife who resided in Yugo-

slavia is deceased. He is now married to a U.S. citizen and they presently reside in Terre Haute, Ind., where he is employed as a sexton. Information is to the effect that the adoptive father is financially able to care for the beneficiary.

A letter, with attached memorandum, dated September 2, 1959, to the chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization with reference to the bill reads as follows:

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., September 2, 1959.

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Hon. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, D.C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 2237) for the relief of Mico Delic, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Hammond, Ind., office of this Service, which has custody of those files.

The bill would confer nonquota status upon the 18-year-old child to be adopted by a U.S. citizen, who is his grandfather. The committee may wish to delete the provisions in the bill relating to the natural parents as they are deceased.

As a quota immigrant, the beneficiary would be chargeable to the quota for Yugoslavia.

Sincerely,

J. M. SWING, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION
SERVICE FILES RE MICO DELIC, BENEFICIARY OF S. 2237

Information concerning the case was obtained from Mr. Elia (Eli) Daniel Delich, the beneficiary's grandfather.

Mico Delic, a native and citizen of Yugoslavia, was born in March 1941. He has never married. His parents are deceased and he resides on a farm in Yugoslavia with an uncle. His grandmother, Emilia Delic, resides in Yugoslavia and is alleged to be mentally incompetent. The beneficiary completed 8 years of school in Yugoslavia. He is unemployed and has no assets. His only income is approximately \$275 annually from Elia Daniel Delich in money and clothing.

Elia Daniel Delich, who was born on July 23, 1890, entered the United States in 1913, and was naturalized as a citizen of the United States on November 19, 1936. He was married in 1911 to Emilia Buganovich, a native and citizen of Yugoslavia. Their only son, the beneficiary's father, was killed during World War II. Elia Daniel Delich was married on June 12, 1940, to Lydia Puckett, a native and citizen of the United States. Prior to their marriage, Mr. Delich did not obtain a divorce and has no information to indicate that his wife in Yugoslavia has ever obtained a divorce. No children have been born to Mr. Delich and Lydia Puckett, who reside together in Terre Haute, Indiana.

Elia Daniel Delich is employed as a sexton by the First Baptist Church, North Terre Haute, Ind., earning \$335 a month. He owns real estate valued at \$45,000 and has savings in the amount of \$1,760. He has indicated that if the beneficiary is admitted to the United States, he will adopt him and support him until he is able to maintain himself.

Senator Vance Hartke, the author of the bill, has submitted the following information in connection with the case:

THE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA

AMERICAN EMBASSY,
Belgrade, Yugoslavia, June 1, 1959.

Hon. VANCE HARTKE,
U.S. Senate, Washington, D.C.

DEAR SENATOR HARTKE: I have your letter of May 21, 1959, concerning the immigrant visa application of Mico Delic, who is the grandson of one of your constituents, Mr. Eli Delich, of Terre Haute.

As you know, Mr. Delic is registered on the nonpreference section of the Yugoslav quota waiting list as of May 5, 1950.

Mr. Delic has submitted the documents required of all immigrant visa applicants, and we shall invite him to file formal application for his visa here as soon as it appears that a quota number will become available for his use in the immediate future. The demand for Yugoslav quota numbers continues heavy under the various preference categories, however, leaving few quota numbers for issuance to applicants such as Mr. Delic without preference status. Under the circumstances, Mr. Delic probably will have to wait many months, perhaps years, before receiving an immigrant visa.

You can be sure that Mr. Delic's application will be given every consideration possible.

Sincerely yours,

K. L. RANKIN.

CLINTON, IND., February 22, 1960.

Re Eli Delich, R.F.D. No. 7, Terre Haute, Ind.

Hon. VANCE HARTKE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: This will acknowledge the receipt of your communication of the 16th of February 1960.

We are advised that Emilia Delich, wife of Eli Delich, died on the 4th day of February 1960.

Please advise if it will be necessary for Mr. Delich to file amended papers, or whether his status can be established if he makes an affidavit as to the fact of his wife's decease.

He might be able to procure a death certificate but the delay would be great and it is questionable whether the Jugoslav Government would permit such a certificate to be sent here.

We await your advice.

Yours very truly,

ZELL & ZELL,
By EDEBERT P. ZELL.

TERRE HAUTE, IND., June 20, 1959.

To Whom It May Concern:

I, Eli Delich, Box 616, Rural Route 7, Terre Haute, Ind., do with the affixing of my signature hereto, affirm the statement set forth below.

In an effort to obtain a visa for Mico Delic, my grandson from Yugoslavia, I present the following facts. I will provide a home, necessary love and understanding, financial, and spiritual support, and exercise every effort to develop this young man into a well prepared and loyal citizen of the country. I am willing to adopt Mico as my own son. He at present is 18 years of age and lives with a relative due to being orphaned by the death of both his mother and father. The relative, an uncle, having a large family of his own and being in very trying circumstances is unable to properly care for Mico.

Any additional information and/or supporting documents will be furnished upon request.

ELI DELICH.

FIRST BAPTIST CHURCH OF NORTH TERRE HAUTE,
TERRE HAUTE, IND., June 20, 1959.

Hon. VANCE HARTKE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HARTKE: Thank you so very much for your letter of June 15, 1959, concerning the visa application of Mico Delic, grandson of Mr. Eli Delich one of our members.

It is indeed gratifying to know that we are represented by one willing to exercise every effort on behalf of their constituents.

The young man in question, Mico Delic, grandson of Mr. Delich is perhaps some 18 years old. He at present is living with a relative due to the death of both his mother and father. The relative, a brother of Mr. Delich, having a large family of his own, is unable to provide the opportunities due this young man.

Mr. Delich has been and is now willing to adopt Mico as his own child. He is willing, and able, to provide a good home with financial and spiritual support sufficient to assure that Mico would never become a ward of the Government. The enclosed statement, signed by Mr. Delich, is presented to set forth his desire to bring the young man here and to make proper provisions for him.

Any consideration given this request will earn for you, the eternal and heartfelt thanks of all those concerned. If any additional documents or statements are needed we will supply them on request.

Yours in His service,

J. C. DURR, Pastor.

FIRST BAPTIST CHURCH OF NORTH TERRE HAUTE,
Terre Haute, Ind., June 30, 1959.

Hon. JAMES O. EASTLAND,
Chairman, Judiciary Committee,
U.S. Senate, Washington, D.C.

DEAR SENATOR EASTLAND: This letter is written in reference to Senate bill 2237, which is a bill for the relief of Mico Delic.

Specific reference is herein made to one, Eli Delich, grandfather of Mico Delic. Mr. Delich has been attending our church for approximately 4 years, and has been a member since July 1957. We know him to be a man of excellent character, high ideals, and with a firm conviction of his Christian beliefs. He and his wife attend our services regularly and participate in the various church activities.

Mr. Delich is at present our church custodian. His devotion to duty and the manner in which he regularly discharges his obligations is worthy of every commendation.

It is my personal conviction and observation these past few years that Mr. Delich is a very trustworthy and reliable citizen. I feel sure that if his grandson were permitted entry into our country, he would be well cared for and would not become a financial burden to our Government.

Sincerely yours,

HAROLD MITCHELL,
Chairman, Board of Deacons.

CITY OF TERRE HAUTE, IND., *June 29, 1959.*

Hon. JAMES O. EASTLAND,
Chairman, Judiciary Committee,
U.S. Senate, Washington, D.C.

DEAR SENATOR: This letter is in reference to Senate bill 2237 which is a bill for the relief of Mico Delic.

My reason for writing with reference to this bill is to exemplify the outstanding citizenship and character of one Eli Delich. I have known Mr. Delich for the past 25 years. During 12 years of that time, I have been mayor of this city. Mr. Delich has been a successful businessman, an active citizen in many civic affairs. He is of good moral character, sound financially; and I conscientiously believe that under no circumstances would he ever permit his grandson to become a financial ward of local, State, or Federal Government.

Any courtesies or considerations and support for Senate bill 2237 would be greatly appreciated.

Respectfully yours,

RALPH TUCKER, *Mayor.*

THE MERCHANTS NATIONAL BANK OF TERRE HAUTE,
Terre Haute, Ind., June 26, 1959.

Hon. JAMES O. EASTLAND,
Chairman, Judiciary Committee,
U.S. Senate, Washington, D.C.

DEAR SIR: In regards to your letter of June 22, 1959, I wish to state I have known Mr. Eli Delich for the past 20 years and have found him to be a fine and reputable person in our community. Mr. Delich owns his business and his financial condition is such that his grandson, Mico Delic, would never have to become a ward of the Government. Mr. Delich is a very conscientious person and his character above approach.

If I may be of any further help in this matter, please let me hear from you.

Yours very truly,

FRANK REEDER,
The Merchants National Bank, Twelve Points Branch.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2237), as amended, should be enacted.

