



Dear Friends,

20 days, 20 ideas, 20 minutes, \$20: Makeover

Note: Instead of a donation on this email, I am asking you to write a letter to our Senators and the President, asking them to afford the full protection of our law to immigrant women fleeing persecution.

Here is Idea #14 in our campaign to give voters actual solutions to our current challenges and to provide **20 steps to a Total Makeover of Our Democracy: Stop the War on Immigrant Women.**

Recognizing gender asylum is fundamental to equality for women.

When it comes to immigration, I have the expertise to back up what I say. My reform encompasses what is **good for our Nation's safety and security while keeping alive the promise of immigration that is the fundamental heritage of our country.**

Race. Religion. Nationality. Political Opinion. Membership in a particular social group.

What are these 5 categories? Characteristics that will afford a person the protection of asylum in the U.S. **What is missing? Women. Why? Because the U.S. Government, despite its profuse pledges to fight the "War on Women", is hostile to women in general, and immigrant women in particular.**

Asylum law in the U.S. generally favors men. I know this from 17 years of practicing immigration law. The U.S. government's sexism in its immigration policy is so total that the U.S. Department of Justice doesn't even keep statistics on grants of asylum by gender.

I don't even have to wait until I get to Congress to write a bill that could save women's lives--

Immigration and Nationality Act. INA section 101(a)(42)(A)

"any person who is outside any country of such person's nationality or, in the case of a person having no nationality, is outside any country in which such person last habitually resided, and who is unable or unwilling to return to, and is unable or unwilling to avail himself or herself of the protection of, that country because of persecution or a well-founded fear of persecution on account of [gender], race, religion, nationality, membership in a particular social group, or political opinion, or...."

Any member of Congress can protect women by taking my proposal and introducing the bill at any time. Despite the loud protestations of so many Congresspeople and Senators about the Nigerian girls, I won't hold my breath for any re

action for immigrant women in the U.S. who have fled sex trafficking and other persecution.

The truly fair and pro-woman solution would be to add gender as a sixth category in asylum law. Women are targeted and persecuted because they are women, whether the persecution involves sex trafficking, attempted murder, torture, domestic violence, FGM, rape or rape as a weapon of war.

It is hateful to reference rape as "forceful" sex. As recently as 2004, the U.S. government argued that rape is simply a matter of "forceful" sex, and the Ninth Circuit court chastised the government for contributing to this noxious notion: "Furthermore, the DOJ's argument simply perpetuates the myth that "[r]ape is just forceful sex by men who cannot control themselves[.]"*

Republicans and Democrats both are waging this **war on women**, the denials to women seeking asylum based on various forms of gender persecution came under Bush 41's Immigration and Naturalization Service (INS), Clinton's INS and Bush 43's Department of Homeland Security. Obama's DHS continues the anti-woman streak with its recent comparison of sex trafficking to regular crime.

There is another, darker side of this story. The maltreatment of immigrant women by the U.S. government is bad enough, but when the U.S. government gives relief to persecutors and members of terrorist groups while denying women fleeing for their lives, then the sheer madness of U.S. asylum and immigration law is laid bare.

A persecutor barred from asylum may still avoid deportation through other forms of relief. Our government gives refuge to persecutors but deports the victims. Even asylum isn't completely barred -- there is an exception -- if he can prove he was under duress when he committed the persecution.

So, a Boko Haram member could gain refuge in our country if he kidnapped and/or raped a Nigerian girl, as long as he can prove duress when he did it, but the girl herself would be deported because trafficking is just like another "criminal element". Now that Boko Haram is designated as a terrorist group, she might have a shot at relief (no guarantee), but for girls and women kidnapped, trafficked, or raped by "non-terrorist" groups? Our U.S. government deports them.

Where is the outcry from Congress, the journalists, the pundits? Where is the action by Members of Congress on behalf of these women? While we wait for them to put their words into actions, women die.

The real solution is to fix the asylum law that leaves women behind and for dead. We should base our laws on legal precedent and what is equitable under the Constitution and laws of Congress. The premise at issue in gender asylum laws is basic--asylum law affords protection to people who are persecuted because of who they are, the faith they practice and the political opinions they have. **Nothing is more fundamental to who we are than gender.**

Politicians and pundits use women to sell their papers or win political office, but they won't go out on a limb to protect a population that carries no votes or funds. Unless and until racism and misogyny are seen as equal on the continuum of hatred and persecution, women will continue to be the second class citizens.

Politicians can cry "**war on women**" all they want, but until they get behind a concrete change in the law that actually helps women, they are culpable.

Congress could easily amend the anti-woman asylum law. With my solution, we will have a true equality for women in our asylum law.

DeFranco Delivers Idea #14: Stop the War on Immigrant Women.

Any person in the real world should see that Congress, if it had the courage to take real action rather than just spewing slogans, could propose Real Immigration Reform that is serious about equality for women. Allowing persecutors and members of terrorist groups to stay in the U.S. while denying women relief risks the safety of every American and undercuts our commitment to human rights. It is illogical, a set up for disaster, bad for the American people and desecrates everything for which our Statue of Liberty stands. Why hasn't my opponent done something about it?

My Idea #14 is a solution that is not only fair and just but will also have a tremendously positive impact on our safety & our human rights record by making sound and fair human rights practices a priority.

My solution #14: Stop the War on Immigrant Women= Safety & Justice=Fuel Job Growth & Grow Main Street.

For women and for democracy,



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