



During a hearing before the House Committee on Oversight and Government Reform on February 16, 2012, Chairman Darrell Issa refused to allow third-year Georgetown law student Sandra Fluke to testify about the critical importance of contraceptives to millions of women across the country. Claiming that the hearing would address only issues relating to religious freedom, Chairman Issa stated that Ms. Fluke is “a college student who appears to have become energized over this issue,” that she is not “appropriate or qualified” to testify, and that she does “not have the appropriate credentials” to appear before the Committee.

Recent efforts to use religious and moral grounds to deny women coverage of birth control are not isolated incidents, but rather part of a [nationwide campaign](#) being conducted at both the state and federal levels to outlaw many forms of commonly used contraceptives.

CELEBRATING 175 YEARS THE BALTIMORE SUN

baltimoresun.com

Informing more than 1 million Maryland readers weekly in print and online

Price \$1.50. Our 175th year, No. 82

THURSDAY March 22, 2012

COMING SUNDAY SUN MAGAZINE

JULIA LOUIS-DREYFUS IN 'VEEP,' A SPRING FASHION PREVIEW, BRADY ANDERSON AND MORE



ALEX WONG/GETTY IMAGES

Sandra Fluke, a law student at Georgetown University, testifies at a hearing of the House Democratic Steering and Policy Committee.

Why I chose Sandra Fluke

BY ELIJAH E. CUMMINGS

Rush Limbaugh's recent, despicable three-day attack against law student Sandra Fluke cast a spotlight on a national campaign by Republicans to turn back the clock on 50 years of progress on women's health issues. But his attacks were not the first attempt to silence Ms. Fluke and the voices of millions of women like her.

Two weeks earlier, I had requested Ms. Fluke's testimony at a hearing before the Committee on Oversight and Government Reform on a rule announced by the Obama administration to require employer health insurance to cover contraceptives.

Committee Chairman Darrell Issa had stacked the hearing only with witnesses who opposed the rule, and he lined up the first panel with only male religious officials. That's right — an all-male panel to talk about contraceptives.

Amazingly, the chairman rejected my request, claiming that Ms. Fluke was not "appropriate or qualified" to testify. I was stunned by his decision and asked him to reconsider, but he refused.

I chose Ms. Fluke to speak for the millions of women across the country who are affected by the new rule. I wanted someone at the table to give them a voice. I chose Ms. Fluke because women have a right to be heard on this issue.

As the son of a minister from a small

church in Baltimore, I understand the position of the faith-based community on this issue. I know — both through my faith and my legal training — that we have an obligation as a nation to make accommodations, where appropriate, to avoid undue interference with the practice of religion in this country.

But there is another core interest we must consider as part of this debate, and that is the interest of the women affected by these policies.

Even if the chairman and other Republicans disagree with women who support insurance coverage for contraceptives, these women have a right to their position, and we in Congress have an obligation to listen. Frankly, my Republican colleagues just don't seem to get that.

As I travel through my district, the women I speak to about this issue express profound concern with the way they are being treated. Why are they being silenced? Why are they being excluded from a debate that affects them so directly? Why are they being attacked with misogynistic slurs for expressing their views?

Instead of apologizing to Ms. Fluke and changing course, Republican officials have continued their attacks and redoubled their efforts to push through their extreme agenda at the state and national levels.

Just days after our hearing, Republican Sen. Roy Blunt offered an amendment to allow employers to deny insurance coverage

for contraceptives if it contradicts their "moral convictions." Imagine your boss being put in charge of making health care choices for you. Although the amendment was narrowly defeated, Senator Blunt warned, "I'm confident this issue is not over."

In states across the country, Republicans are moving forward with a coordinated campaign to make many forms of commonly used birth control illegal through so-called "personhood" legislation and ballot initiatives that would outlaw the Pill, emergency contraceptives and intrauterine devices.

This debate has become a defining moment for Republicans, and they are digging in their heels to find ways to legislate control over a woman's body.

Now that their agenda has been exposed, however, women are mobilizing across the country. Thousands who rallied behind Ms. Fluke are now organizing millions of women in support of protecting women's health. Their voices are essential to this debate.

I want them to know that there are also millions of men across the country who stand with them, and I, for one, will continue to do everything in my power to fight to ensure that their voices are heard and their rights are protected.

Rep. Elijah E. Cummings, a Democratic congressman from Baltimore, is the ranking member of the House Committee on Oversight and Government Reform. He can be reached through his website, www.house.gov/cummings.

There are reportedly fewer than 80 inmates in the nation who received sentences of life, without parole at the age of 13 or 14. Most states have never sentenced anyone that young to such a penalty.

(That includes Maryland, you'll be pleased to know. However, it should be pointed out that any juveniles who were sentenced to life would have been stripped of parole eligibility by the "life means life" order of Gov. Parris Glendening in 1995. Gov. Martin O'Malley continued the practice of denying parole to all lifers. Readers of this column, who have followed the case of Mark Farley Grant, know that, under these gubernatorial edicts, he has been serving a de facto sentence of life without parole. He was arrested at 14 for a murder in Baltimore in 1983. Though his advocates have compiled convincing evidence that Mr. Grant was wrongfully convicted and started pleading his case with the governor's office in 2008, Mr. Grant received no special consideration. He is finally being considered for a commutation of his sentence to a term of years — not because of his claim of innocence but because of his juvenile-at-the-time-of-crime status.)

As Mr. Bessler notes in his book, the United States clearly is not bound to maintain what the Founding Fathers considered "usual" punishments.

"The Founding Fathers," he writes, "never sought to lock future generations in to 18th-Century mores." He says Mr. Jefferson, Benjamin Franklin, James Madison and George Washington were among those who came to oppose executions. They were heavily influenced by the Italian philosopher Cesare Beccaria's 1764 treatise, "On Crimes and Punishments." If a civilized society can be protected by sound prisons, he argued, there should be no need for executions.

So how does a society that shed many of its old cruelties — slavery, floggings, lynchings, executions of the criminally insane — still cling to the ultimate punishment? This is what Mr. Bessler's book seeks to answer, and in so doing, it argues persuasively that the death penalty, infested with randomness and bias, is a violation of the Eighth Amendment's prohibition against cruel and unusual punishments.

Of course, the so-called "originalists" see no such problem. Justice Antonin Scalia arrogantly asserted in an interview last year that the question of the death penalty's constitutionality is so easily resolved that, "I don't even have to read the briefs, for Pete's sake."

But over time, including the time of Justice Scalia, it's clear the Supreme Court's interpretation of the Eighth Amendment has not been static but rather (in the court's own words) "tied to evolving standards of decency, that mark the progress of a maturing society."

And yet, and yet ... we still kill guys. Many states, including Maryland, still have the death penalty. An estimated 3,000 inmates await execution on death rows across the land. We no longer officially whip prisoners; we no longer officially torture them. But we still officially kill them. When you step back and regard that reality, it appears either grotesquely ironic or simply grotesque.

Don Rodricks' column appears Tuesdays, Thursdays and Sundays. He is the host of the "Midday" show on WYPR-FM. His email is dan.rodricks@baltus.com.

On March 22, 2012 Ranking Member [Elijah E. Cummings](#) Baltimore Sun on the need to hear from women in the on

### [Why I chose Sandra Fluke](#)

**Congressman Cummings questions the silencing of women in the debate over contraceptive cov**

By Elijah E. Cummings – March 22, 2012

Rush Limbaugh's recent, despicable three-day attack against law student Sandra Fluke cast a spotlight

Two weeks earlier, I had requested Ms. Fluke's testimony at a hearing before the Committee on Oversight

Committee Chairman Darrell Issa had stacked the hearing only with witnesses who opposed the rule, and

To read the rest of the [post](#), please click

Below are documents and videos relating to the hearing held on February 16, 2012 -- "Lines Crossed: Separation Of Church & State. Has The Obama Admin. Trampled On Freedom Of Religion"

On February 15, 2012, Rep. Elijah E. Cummings, Ranking Member of the House Committee on Oversight and Government Reform, [sent a letter](#) to Chairman Darrell Issa objecting to his refusal to allow a minority witness to testify at the February 16, 2012 Committee hearing about the interests of millions of American women seeking safe and affordable coverage for basic preventive health care, including contraception.

## Member Statements

[Read Opening Statement of Elijah E. Cummings](#)

[Read Opening Statement of Rep. Carolyn Maloney](#)

Congresswoman Eleanor Holmes Norton

Congresswoman Carolyn Maloney

Congressman Gerry Connolly & Congresswoman Rosa DeLauro

The Voice The GOP Didn't Want You To Hear

Below, watch the statement Chairman Issa rejected at today's hearing: Sandra Fluke, who would have been the Minority's witness and the only female voice on behalf of millions of women who seek safe and affordable coverage for preventive health care.

[Read Sandra Fluke's statement here.](#)

Other Documents

[Prepared Statement of Barry Lynn](#)