

# NOTICE + COMMENT 101

## THE FEMINISTS HOW-TO GUIDE FOR SUBMITTING COMMENTS TO FEDERAL AGENCIES

### WHAT IS IT?

A critical part of the rulemaking process for federal agencies (e.g., Department of Education, Department of Health and Human Services, etc.) is the **Notice + Comment period**. When agencies are crafting regulations (legally binding rules), they are required to open the proposed rules for a period of public review and comment, when anyone is able to provide their feedback. The period of time can vary - some comment periods are 30 or 90 days - but usually a comment period can be expected to be 60 calendar days from the proposal of the rule. Federal agencies are required to account for and respond to the comments they receive. You can submit your comments to the agencies online.

### WHY IS IT IMPORTANT?

- Notice + Comment may seem technical, intimidating, or part and parcel with bureaucratic red tape, but it's one of the most important ways to hold the government accountable and make your voice heard.
- Currently, familiarizing yourself with Notice + Comment processes could not be more timely, as new harmful rules on Title IX and birth control are coming out from the Departments of Education and Department of Health and Human Services, both of which would negatively impact the lives of students, survivors, and folks of reproductive age.
- Comments are an important part of creating a public record of opposition to, or support of, proposed rules and can be useful if the new regulation is ever challenged in court.

### HOW TO CRAFT AN IMPACTFUL COMMENT: QUICK TIPS!

#### → Write individual comments.

There is nothing more important than writing your own individual comment. Having large groups copy and paste the same comment or signing on to an organization's comment is less effective, especially under the Trump administration, which often lumps the same comments together and only counts them as one. This means that if 1,000 identical comments are submitted, they will only be considered as a single comment. To stop this administration from silencing us, we must each take a few moments to write and submit our own comments.

#### → Your comment does not have to be a novel!

A lot of people put off submitting a comment because they think the comment needs to be a long and well-written essay. This is not the case! While taking a few moments to craft a strong argument and share your story is critical, the comment itself can be short - just 15 minutes to write!

#### → Make your stance and ask as clear as possible.

Make your stance on the proposed rule as clear and direct as possible. Begin your comment by stating your position and including your ask.

- Ex: "I strongly oppose"
- "I ask that you rescind"
- "I urge you to repeal"
- "I am writing in protest of"

#### → Share your story.

Stories are one of the most powerful ways to provide concrete examples of how policies have real impacts on our bodies, lives, and communities. Share your personal connection or reason for taking action, detailing how and why this new rule would impact you.

#### → Share your expertise.

If you are a professional expert on the topic (for example, if you have a social work, legal, or medical

background), make sure you share that in the comment! Collecting comments from multiple perspectives with the same ask helps strengthen the overall message, so having a mix of personal stories and connections, passionate statements from engaged individuals, and professional opinions is helpful.

→ **Include the broad scale impact the rules would have.**

Just as having multiple perspectives is useful, sharing both individual stories and statistics that highlight the scope, magnitude, and pervasiveness of the issue is critical.

→ **Include relevant research.**

Be sure to cite your sources and back up your arguments with statistics, studies, and more. You can find relevant information on the Feminist Newswire or by visiting the resource pages of relevant organizations. You can include additional resources with the comments and request that the agencies consider the resources as a part of your comment.

→ **Focus your comment *\*only\** on addressing the proposed rule in question.**

When writing to a federal agency -especially one that deals with education, healthcare, labor, etc- many of us have **a lot** of opinions and thoughts about the way they are handling issues and making decisions that impact our lives. Sharing those opinions are critical, but make sure that in **this process**, you focus your feedback to the proposed rule at hand.

→ **Mobilize others to submit comments as well.**

It's critical to engage others in submitting comments as well. Hold a comment-writing drive and reach out to family members, friends, and co-workers to encourage them to submit their comment. Host a comment writing party in your home! Students on campus can table in the student center, host comment-writing parties, and organize within their dorms.