

PROBLEMS IN PUBLIC HEALTH LAW
Spring 2021
Public Comment Brief

Rationale

This assignment is designed as an experiential, skill-building exercise in public health law and policy advocacy. It is also an applied orientation for public health agency rulemaking and public notice-and-comment framework as it exists under the Administrative Procedure Act (APA) (5 U.S.C. Chapter 5). This mechanism is utilized by a range of interest groups, including industry lobbyists, patients' groups, public health advocacy organizations, and interested individuals.

Process and Parameters

1. Review the docket announcement and related materials for the Proposed Rule, "Treatment of E-Cigarettes in the Mail." (Docket No. [USPS-2021-0027-0001](#)).
2. Consult relevant legal, regulatory, and public health material to educate yourself about the context and implications for the proposed action.
3. Write a 5-7 page public comment brief, following the below framework:
 - a. *Executive Summary* (250 words max, not counted toward page max): stating your position on the issues presented in the docket notice, major supporting arguments and evidence, and recommendations.
 - b. *Background*: (1-2 pages) Brief overview of the evolution and current state.
 - c. *Analysis*: (1-2 pages) Your position and its rationale, including which stakeholders' interests you are seeking to protect and how.
 - d. *Actions Recommended*: (1-2 pages) state the recommended course of action and what action steps would be needed to accomplish it.
 - e. *Tables and Figures* (optional, with attribution)
 - f. *Endnotes/Sources Cited* (not counted towards page limit)
4. A statement that the document was prepared for a law school class will be added to the final comment prior to submission.

Format

- 5-7 pages (not including executive summary and endnotes)
- Double-spaced, 1-inch margins
- 12-point font (Times New Roman or Cambria)
- Endnote references (citation format of your choice, as long as it's consistent)
- Page numbers

Evaluation

The assignment is worth **25% of your final grade**, and will be evaluated based on the following criteria:

1. Clear and cogent positions and arguments
2. Grammar and style
3. Adherence to format guidelines
4. Credible and well-cited sources
5. Timely submission

More information on the Federal Register here: <https://www.regulations.gov/document/USPS-2021-0027-0001>.

A draft of your public comment is due to me by March 15, 2021. After one round of edits, you will e-mail your public comment to PCFederalRegister@usps.gov.

As per the Docket: "Email comments, containing the name and address of the Commenter, may be sent to: PCFederalRegister@usps.gov, with a subject line of "E-Cigarette Restrictions."

The deadline for e-mailing your public comment is **March 22, 2021**, and the docket will close if you do not e-mail your document in time! You must cc or bcc me at m.sinha@northeastern.edu when you e-mail your submission to the USPS.