

Public Comments on Agency Rulemaking

What is a public comment? A public comment is formal written public input on proposed agency rules and regulations that indicates support or opposition to the proposal (or any of its parts) with supporting reasons or evidence, and often includes specific suggested changes or improvements.

Why submit a public comment? Comments are the public's last best chance to influence agency rules that will bind or affect them with the force of law. If an agency fails to consider or rebut valid comments and evidence, a court may later strike down the rule as arbitrary. Conversely, if arguments for or against proposed rules are not raised during the formal comment process, the agency may not be required to take them into account at all.

What should be in a public comment?

- Name of the proposed rule and RIN (Regulation Identifier Number).
- If an organization: letterhead, brief description of organization, and interest in the proposed rule.
- If an individual: brief description of interest and any relevant expertise or qualifications.
- Arguments for or against *specific provisions* of the proposed rule (the more detail the better).
- Citations or links to relevant studies, articles, reports, examples, evidence, or personal stories.
- Explain how the rule would specifically impact you, your organization, or its members/clients.

What should you know about public comments?

- Submitted comments are viewable by the general public, but you can submit anonymously.
- Comments do not have to respond to everything in the proposed rule.
- Submitting a short statement of support or opposition is better than not commenting at all.
- All public comments have submission deadlines that cannot be missed.

How do you submit a public comment?

- Learn about upcoming rules on issue you care about at <https://www.reginfo.gov/public/>.
- Proposed rules are published on <https://www.federalregister.gov/> where you can search for proposed rules (by name, RIN, agency, or subject matter), see deadlines, and submit comments.
- At the top of the proposed rule page, click the green button "SUBMIT A FORMAL COMMENT."
- Create a PDF or Word docx of your comment and click the green button "+ Add a file" to upload.
- Alternatively, if your comment is very short, you may type it directly into the comment box
- Upload any additional supporting documents, including reports, studies, etc., drafted by others.
- Pick the most relevant option in the dropdown for "What is your comment about?"
- Add your email and check the box to receive email confirmation of your comment submission.
- Indicate whether you are submitting as an individual, organization, or anonymously, and fill out the individual's name or the organization's type and name.
- Check the box "I read and understand the statement above."
- Click the green button "SUBMIT COMMENT" (you can also preview your comment before submission).