

Public Comment Toolkit

There are many ways to engage with the U.S. federal government. In addition to more traditional outreach to policymakers, such as calling or meeting with your representatives, writing an email, connecting on social media or attending a townhall, there is another avenue for AGU scientists to influence policy: By submitting public comments on proposed federal regulations.

Scientists are uniquely situated to provide the information and evidence needed to help shape a new regulation, or rule, a federal agency is contemplating. The information in the toolkit below explains what these comments are, what considerations can help with writing them and how to submit them.

We hope you will consider contributing to the important public commenting process so science advocates are heard across the U.S. government.



Regulations

What is a regulation and how is it created?

Regulations (also referred to as rules) are how executive and independent federal agencies carry out policy actions.

This can include anything from establishing new environmental standards, to changes in how an agency collects information or changes in labor categorizations.

To create a regulation:

1. The U.S. presidential administration or Congress directs an agency to create or amend a rule.
2. The agency issues a Notice of Proposed Rulemaking to collect public comments.
3. The agency incorporates public comments into a final draft of the regulation.
4. The regulation is codified and published in the Federal Register.

Before agencies begin the rulemaking process, they complete an Advanced Notice of Proposed Rulemaking to justify the costs of the proposed changes. If the agency determines the rule to be cost effective, they present their findings to Congress or the president to be granted authorization to begin the rulemaking process.

Notice of Proposed Rulemaking (NPRM) and public comments

When federal agencies want to create, amend or eliminate a regulation, they will issue a Notice of Proposed Rulemaking (NPRM), which provides an overview of what the agency would like to change and why. An agency then solicits comments from stakeholders and the public to further scope information and gauge public opinion on the proposed changes.

According to [federalregister.gov](https://www.federalregister.gov), an NPRM is “the official document that announces and explains the agency’s plan to address a problem or accomplish a goal.” This U.S. federal website provides information on U.S. government documents, as well as policies based on topic or by federal agency.

Public comments are another way for the public to engage in government action outside of advocating for or against pieces of legislation. These comments are a great way for scientists to lend their expertise and research to influence policy to ensure it is evidence-based.

Why write a public comment?

Agencies rely on input from the public and stakeholders to assess new rules. It is also a statutory requirement to take public comments into account when drafting new regulations. This process provides another avenue for public advocacy because submitting a comment or responding to a request for information allows you to engage directly and showcase your expertise.

Where to find regulations

[Regulations.gov](https://www.federalregister.gov) is home to proposed rules and public comments. You can search for rules by agency or topic, read rules and see other public comments that have been submitted. Agencies will accept comments within a defined window (typically 30 or 60 days but the timeframe can vary), so make sure you consider the deadline when drafting your comment.

What about a Request for Information?



A Request for Information (RFI) is used for broad information scoping. An RFI can be related to a future proposed rule that is under consideration by an agency but more generally, RFIs are used to scope information before a larger government action. For example, RFIs can be issued by federal advisory committees to solicit information from experts in the public before briefing a cabinet member or other federal executive. RFIs may be more explicit or specific in the information they are asking for, whereas a public comment is providing feedback on a written document. The process for writing a public comment and a response to an RFI is very similar. You can find many RFIs on the **Federal Register**.

Public Comment Procedures

How to comment

The following list includes five crucial considerations when submitting a public comment.



1. Read the NPRM or RFI.

This may sound simple, but some rules can be hundreds of pages long and include provisions that might not be straightforward. Search for summaries of the proposed rule online. Some public policy staff members at stakeholder organizations read the full comment and provide a plain language analysis for their members.



2. Comment on specific portions of the rule.

Simply stating “I support” or “I oppose” is less likely to make an impact on a proposed rule. Instead, provide specific feedback on the rule or the parts of it where you have the most expertise. Include information and facts in a useful and approachable way in your comment. And don't forget that what you submit will be publicly accessible!



3. Be concise.

Rules can get as many as hundreds of thousands of comments and agency staff members are responsible for reviewing all of them. To help your comment stand out, get to your point as succinctly as you can.



4. Err on the technical side.

Unlike many other forms of science communication, public comments should largely exclude lengthy stories or personal anecdotes. You can state what qualifies you to comment or provide context on why it matters to you but overall, your public comment should read more like a technical publication, including research, facts and figures. You can also attach references alongside your comment.



5. Do not feel the need to comment on the entire rule.

Submit information for the sections you feel best suited to comment on with your expertise. You do not need to comment on all the sections of the rule.

How to submit

When your comment is ready to be submitted, you can do so via [regulations.gov](https://www.regulations.gov). You will need to provide your name and contact information. If you are commenting as an individual and not on behalf of your institution or affiliation, you do not need to include your affiliation.

You will then be asked to provide a brief, introductory statement before you upload your comment as a PDF, as well as PDFs of other references you may choose to include. After you submit your comment, you will receive a confirmation email.

Next steps

Once agency staff members have read and considered the public comments, they then decide how to proceed with the rule. They will either make changes based on the comments they received or they will sometimes withdraw the proposed rule altogether.

If the finalized rule moves forward, it will be published in the [Federal Register](https://www.federalregister.gov/) and it will go into effect 30 days after its publication.