

What Makes an Effective Public Comment on a Federal Regulation

Federal agencies make many of their big policy decisions through what is called a “rulemaking process.” An important part of this process is gathering and considering feedback from the general public—**that’s you!**—on whether a proposed rule is a good idea. Federal law requires agencies to allow time for these comments, and to consider and address them when making final decisions.¹

Submitting a comment is an important way to influence government action that may affect your life. There is no specific format required, but this explainer provides some guidance on how to write an effective comment.

The Basics: Who, What, When

- **Who can comment on a proposed rule?** Any member of the public (private individuals, organizations and associations on behalf of their members, etc.) can submit a public comment. Comments can be submitted anonymously.
- **What is a comment? Is it a way of voting on a rule?** These comments do not function as votes for or against a rule. Rather, they matter because, at their best, they provide the government with relevant, detailed, and reliable opinions informed by the professional and personal experiences of the commentators.
- **What’s the purpose of a comment?** Comments can build a record of opinion, inform the government about unforeseen impacts of the regulation, and refute or affirm assumptions relied upon by an agency to draft its proposed rule. And comments raise the bar that agencies have to meet when making a rule; “if an agency fails to adequately respond to significant, relevant comments in a final rule, members of the public may seek to challenge the rule in court on that basis and claim it could be struck down.”²
- **Is there a deadline for commenting? Yes.** The proposed rule is ordinarily posted online, and the agency specifies a deadline—typically, there is a 30 to 60 day window for comments.

¹ [5 U.S.C. § 553](#); See [Ohio v. Environmental Protection Agency](#), 603 U.S. 279 (2024) (noting if a public comment addresses an agency’s methodology, assumptions, or reasoning of a proposed action, the agency must provide a reasoned response to those comments).

² Regulations.gov, [How You Can Effectively Participate in the Regulatory Process Through Public Comment](#), p. 2 (last accessed: April 9, 2025).

What does a comment typically look like?

There is no required structure or word limit when writing a comment. If you are looking for guidance, consider including the following components³:

- ✓ **Introduction:** Explains why you are interested in the regulation and highlights the personal or professional experience(s) that inform your opinion.
- ✓ **Background:** Identifies the part(s) of the regulation you are commenting on, and clearly states your opposition or support for each.
- ✓ **Arguments and Analysis:** Explains how the proposed rule might impact you personally and/or professionally, whether the agency relied on incorrect information, unintended consequences of the proposed rule that were not considered, etc.
- ✓ **Recommendation(s):** Offers suggestions on specific changes you would make to the proposed rule. Those changes could be to not proceed with the entire rule or certain parts of it or to change specific sections.
- ✓ **Conclusion:** Summarizes your main argument and re-lists your recommendations. Remind the agency whether you support or oppose their proposed rule.

How to write an effective public comment

Review the regulation

Understand the regulation before commenting on it. Most regulations have an introduction and background section where the agency lays out the purpose of the regulation and any applicable laws. The agency will then include its justifications for the proposed rule. The last section of the regulation typically is the text of the actual proposed rule. You can search for and read proposed federal regulations on [Regulations.gov](https://www.regulations.gov). You can filter your search by looking up a specific agency, the Regulatory Information Number ("RIN"), and/or navigating to the search bar at Regulations.gov and typing in key words that relate to the proposed rule.

Take a stance

Clearly state whether you agree with or disagree with the proposed rule (or an aspect of it). If a rule raises many issues, you do not have to comment on every one—you can select the issues that you understand the best and that concern you the most.

³ You can read an example of a public comment [here](#) and look at a list or "docket" of submitted comments for a previously proposed regulation by the Food and Drug Administration [here](#).

Get specific

After you state whether you support or oppose the proposed rule or a part of it, your comment should specifically explain the rationale behind your opinion. Emphasize how this rule would have a positive or negative impact on your specific situation (or overall, based on your professional or personal experiences). Specific and substantive comments are more likely to require responses from an agency.

- **Name your experience or expertise:** Identify the credentials and experiences that distinguish you from other commenters. It is OK if you are not a scientific or regulatory law expert! All perspectives are needed.
- **Speak from your perspective:** Are you part of a relevant industry that would be affected by this proposed rule? (e.g. science, agriculture, business, etc.). If the answer is yes, draw from that experience.
- **Rely on your experience:** Are you a person who has “on the ground experience” with the subject matter or impact of the rule—that is, someone who would be directly affected by the agency’s decision? If the answer is yes, draw from that experience
- **Back up your opinions:** Where possible you can and should refer to multiple sources (personal insights and/or quantitative data-driven facts) to support your comment.
- **Cite the proposed rule:** All comments must include the agency name and docket or RIN. If you are commenting on a particular subpart or section of the proposed rule, reference the heading and page number of that subpart or section from the Federal Register document. If you are commenting on a particular word, phrase, or sentence in the proposed rule, provide the page number and paragraph citation from the Federal Register document.

Offer alternative options

If you disagree with the rule (or a section of it), it can help to suggest an alternative and explain how the alternative is more effective or better meets the same policy objective. The alternative could be to do away with the entire regulation (or part of it).

Address the “other side”

If you are able, it may be helpful to address trade-offs or counter opposing views in your comment.

Additional Resources

For more information (including a step-by-step guide on how to submit a public comment), read:

- [How You Can Effectively Participate in the Regulatory Process Through Public Comment](#) and [Tips for Submitting Effective Comments](#) | Regulations.gov
- [Notice-and-Comment Rulemaking flyer](#) | Administrative Conference of the United States

- [Why Public Comments Matter](#) | Harvard Law's Center for Health Law and Policy Innovation
- [How do I comment on a proposed rule during the open comment period?](#) | The Department of Labor offers a quick guide on how to submit your comments online or by mail.
- [Video: Engaging in Agency Rulemaking: How to Submit Effective Public Comments](#) | John Hopkins Lerner Center for Public Health Advocacy

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