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Taking the Mystery Out of Filing Comments on Proposed Rules

By: Jennifer Chandler

When you hear about “new proposed federal regulations,” you may immediately think: *“I need to learn all about these new regulations so our nonprofit doesn’t get into trouble!”* But it’s very unlikely that the proposed rules you heard about will become the “law of the land” as proposed. “Proposed” means just that – a draft change has been suggested and the government is asking for comments before finalizing the rules. So, *proposed* rules are an open invitation to share your real world expertise, which will provide useful guidance to government and most importantly, improve the experience of your nonprofit, and others. This opportunity is what we refer to at the National Council of Nonprofits as an invitation for “[everyday advocacy](#).”

Comment periods offer your nonprofit’s board and staff members the opportunity to be advocates from the comfort of their own computer terminals! Filing comments on proposed regulations can be as simple as pushing a button to send an email to a government agency.

Why would you file comments? Because you and your fellow board and staff members are the experts. You know best how the proposed rules will affect your nonprofit’s operations. You are in the perfect position to confirm that the

government or oversight body is on the right track – or that the proposed rules will be burdensome, or expensive, or put up a barrier to your nonprofit’s ability to advance its mission. If YOU don’t tell the government about what happens in the “real world,” who will?

Here are a few tips for filing comments with any government agency or oversight body:

- Take the deadline for filing comments seriously.
- Before filing comments, consider reaching out to others to test your message and proposed solutions, and explore strengthening your message by filing a joint statement/consolidated comments.
- Typically, there is no required format for your comments. Your comments can be a sentence, or a paragraph, or a long statement.
- If you use an online form, however, your comments may be limited to simple text. Don’t assume that hyperlinks will work or that footnotes will be visible.
- If you file comments the old-fashioned way via a hard copy letter, you can include information in other formats: data charts, maps, pictures, or anything you believe is needed to make your point.
- Your comments can be anything from one sentence to a complete economic analysis; they may be long, short, or anything in between, and can express support, or dismay...suggest revisions, different approaches, or request that the proposed rules be abandoned completely. But providing constructive critiques that connect what is proposed to your nonprofit’s *actual experience* will strengthen the comments, as will identifying what you agree with (and why) and what you suggest could be different (and why).
- Be solution oriented.
- Maintain a respectful tone even if the comments express strenuous disagreement with proposed regulations.
- Assume that whatever you file as comments will be made publicly available.

When you file comments you are helping often distant policymakers with no experience in your field make better decisions. Your actions now – by either saying nothing, or proposing improvements, could influence operational costs and burdens of nonprofits in the future. Don’t assume that someone else will speak up. It’s up to you to make sure that your opinion and expertise are considered. If you don’t take advantage of the comment period then you really can’t complain about the result. And it’s a lot harder to dismantle regulations after they are officially adopted, than

to influence the end-result while the policy makers are receptive – and indeed asking -- for your ideas.

Finally, remember that your voice DOES matter. In fact, your comments may be the only ones offering the uniquely informed perspective that everyone one else will benefit from in years to come. So, take a big breath – and press SEND!

More About Filing Comments

- [A Guide to the Rulemaking Process](#), Office of the Federal Register.
- [Writing substantive and effective comments – your guide to making a difference](#), Winter Wildlands Alliance.
- [How to comment on a rule](#), Center for Effective Government, 2015.
- [Step-by-step tips for filing effective public comments](#), Environmental Law Institute, December 2013.