



INTRODUCTION TO FEDERAL RULEMAKING AND PUBLIC PARTICIPATION

By Liz Taufa and Peggy Gleason

I. Background

Federal regulations implement statutes that Congress enacts. Under the Federal Register system and the Administrative Procedures Act (APA), the public can have a direct impact on shaping federal rules.¹

In the immigration world, regulations by several agencies influence the application of immigration law. United States Citizenship and Immigration Services (USCIS), the Executive Office for Immigration Review (EOIR), and the United States Department of State (DOS), as well as the various branches of the United States Department of Homeland Security (DHS) frequently engage in rulemaking that impacts how the law is applied to immigrants. The regulatory process provides an opportunity for the public to participate in the rulemaking by commenting on proposed regulations. Agencies are required to respond to public comments.

When an agency fails to follow proper procedures under the APA, the legality of a rule can be challenged in the courts. Courts can enjoin a regulation where the agency fails to follow the APA and does not make a satisfactory explanation for its action, including a rational connection

¹ Federal Register Act, 44 U.S.C. Chap. 15 (July 26, 1935) and the Administrative Procedures Act (APA), 5 U.S.C. §§ 551-559 (June 11, 1946). Section 553 outlines the steps to be taken in creating federal rules.

between the facts and the choices made.² Many such violations resulted in injunctions against rules during the Trump administration and those rules did not go into effect.³

II. Authority

The federal regulatory process combines requirements of the Federal Register Act and the APA. The rulemaking system was established as part of New Deal legislation in the 1930's that gave agencies broad powers to regulate social and economic issues, while ensuring that the public would have notice of the existence of such regulations.

These laws were designed to provide the public access to regulations by providing a central location for filing documents for public inspection. This was accomplished by publishing a daily Federal Register as a single, uniform source where agency rules and notices can be found, and by creating the Code of Federal Regulations (CFR) so that rules would be codified and arranged numerically for the public to examine them. When a rule is published in the Federal Register, it provides official notice of a document's existence, content, and legal effect. It also specifies the legal authority of an agency to issue such a rule based on delegation of authority from Congress.

The addition of the APA in 1946 clarified the procedural requirements for rulemaking to ensure due process in the notice and comment rulemaking process. Under the principles of fairness, the APA provides that rules cannot be enforced if they are not first published in the Federal Register, and they cannot be effective until a designated period after publication. Additionally, rules must contain an explanation and rationale as well as information on how to contact the agency responsible for the rule. The APA also contemplates public participation, called notice and comment rulemaking, which means agencies must give notice of proposed rules. With few exceptions, they must receive comments from the public on proposed rules. The agency must

² In one example, a USCIS fee rule was enjoined in *ILRC v. Wolf*. The agency published a final rule in August 2020, *Fee Schedule and Changes to Certain Other Benefits Request Requirements*. The rule drastically increased fees for immigration benefits and eliminated fee waivers entirely for almost all application types. ILRC filed a lawsuit with other national immigration advocacy groups, resulting in an injunction which prevented USCIS from implementing the rule. The court enjoined the rule in part because USCIS violated procedural and substantive requirements of the APA. The court found that the rule was arbitrary and capricious. *ILRC et al. v. Wolf, et al.* (Case No. 4:20-cv-05883-JSW) (N.D. Cal.) (Sept. 29, 2020).

³ For a comprehensive review of regulations promulgated during the Trump administration and the litigation which enjoined many of them, see the Immigration Policy Tracking project maintained by Stanford and Yale law schools at <https://impolicytracking.org/home/>.

then respond to the comments in final version of the rule, and explain the legal basis and purpose for the agency's actions.⁴

III. The Beginning of the Rulemaking Process

Various factors can cause an agency to begin rulemaking on a particular issue. Sometimes an agency exercises its own initiative in surveying the issues in its area of responsibility, as delegated by Congress, and decides to initiate a rulemaking.

An agency can also begin rulemaking due to court orders, executive orders, a petition for rulemaking or an informal request from members of the public affected by an issue. Some rulemaking comes about because of recommendations of Congressional committees, federal advisory committees, or the Office of Management and Budget (OMB). Emergency situations and changes in technologies may also prompt rulemaking.⁵

IV. Prior to Publication of a Proposed Rule

The public can learn when an agency plans to start or finalize rulemaking by following the plan of regulatory and deregulatory actions called the Unified Agenda of Regulatory and Deregulatory Actions or more commonly, the Unified Regulatory Agenda (URA).⁶ This plan informs the public of which regulations the agency is intending to work on and describes what stage of the regulation they expect to complete within the designated time period. The plan is published on the [Reginfo.gov](https://www.reginfo.gov) and [regulations.gov](https://www.regulations.gov) websites. You can sort the contents of the agenda by agency and see the plans of each entity. Be aware that sometimes priorities change after the URA is published and, thus, an agency may not publish the regulations included in the URA. When there is a delay, the publication of a particular rule listed in the URA may be pushed to a subsequent year's agenda. Even though all the rules in the URA may not be published, it is helpful to review it to assess any important upcoming issues and the capacity to respond.

An agency can also involve the public in the process even before there is a proposed rule by having public meetings, engaging with interested organizations, holding listening sessions or soliciting public views through an Advanced Notice of Public Rulemaking (ANPRM). If an agency decides to use this process, an ANPRM is published in the Federal Register. This is an official

⁴ For more background on the Federal Register and the APA, see Office of the Federal Register, National Archives and Records Administration, *The Federal Register Tutorial: What It Is and How to Use It* (1999).

⁵ Federal Register, *A Guide to the Rulemaking Process* (2011).

⁶ The most recent version of the URA can be found online at <https://www.reginfo.gov/public/do/eAgendaMain>.

invitation to the public to participate in creating the proposed rule. Agencies will use the feedback from the public to craft the proposed rule before it is published for comment.

The advanced notice process was utilized by USCIS in developing the 2022 public charge rule.⁷ The notice requested detailed written public comments on public charge standards and specific benefits to be considered. It also advised the public of virtual listening sessions on public charge where the general public or state, local and tribal benefits agencies and nonprofit agencies could provide oral comments. An ANPRM is not used in developing all regulations, as many times the agency will start with a proposed regulation and solicit public feedback through the formal comment process.

V. Proposed Rules and How to Find Them

All regulations are published in the Federal Register, which functions as a newspaper that posts all notices related to regulations that require publication. The Federal Register is available online at [federalregister.gov](https://www.federalregister.gov). The Federal Register is distinct from the CFR⁸ which houses only the regulations that are currently in effect. In contrast, the Federal Register contains all rules that have been proposed, finalized, and withdrawn back to 1994.

The Federal Register is updated daily and has an option to subscribe to notices from various agencies. If you subscribe to a specific agency, you will receive an email when that agency publishes a rule. You can register for a free account on the Federal Register web site and choose which agencies you want to follow. You can also save documents and keep track of any comments you submitted.

The Federal Register is a useful tool to ensure that your organization is up to date on regulatory changes that are pertinent to your practice. In addition to rules – such as the Deferred Action for Childhood Arrivals (DACA) or public charge rules – agencies are also required to post notices when they are updating or renewing forms. Forms must be posted regularly in the Federal Register and opened for public comment, even if the agency is not changing the form. Tracking these postings can alert your organization when a new form edition is coming out but also offers the opportunity to comment on changes that should be made to the forms themselves and the collection of information. This could help the agency streamline the forms or could allow for clarification where there is confusion.

Secondary sources such as newsletters may describe upcoming regulations as well, but the best source is from the government notifications themselves. Groups such as the national

⁷ USCIS, *Advanced Notice of Proposed Rulemaking and Notice of Virtual Public Listening Sessions*, 86 Fed. Reg. § 47025 (Aug. 23, 2021).

⁸ Available online at <https://www.ecfr.gov/>.

immigration regulations group, which ILRC operates monthly for national non-profit immigration organizations, can describe the upcoming regulations to interested parties and coordinate comment campaigns. Members of nonprofit immigration advocacy organizations who are interested in this group should contact the authors of this advisory to join.

VI. Content of Proposed Rules

The Federal Register Notice on a proposed rule is called a Notice of Proposed Rulemaking (NPRM). The notice will propose to add, revise, rescind, or redesignate certain CFR provisions and describe the purpose of the rule.⁹

The NPRM must explain the legal basis including the statutory authority to issue rules for the regulated entities and the subject area. It also will describe the proposed provisions and the rationale for each proposed provision.

The proposed rule should also explain why a rule is needed, what it would accomplish, and what data, research, analyses, and assumptions were used to develop the rule. The rule preamble should discuss regulatory background and history, any alternatives the agency is considering, and provide analyses describing compliance with applicable statutes or executive orders.

The proposed rule must provide the public with a meaningful opportunity to submit comments, in either electronic (increasingly utilized) or paper form, and it must consider all relevant matter presented.¹⁰

The NPRM will establish a time period for comments to be submitted, generally from thirty to sixty days, and sometimes as long as ninety days. If the comment period granted is too short to allow the public a meaningful opportunity to comment, the public can submit a comment asking to extend the time. Often, if an agency does not receive comments or receives only a few comments, the rule will be re-opened for comment for an additional period of time.

The APA does not specify an exact time period for which comments are allowed but does state that an opportunity must be provided to the interested public to submit written comments. However, guidance in an Executive Order on regulations states that agencies should err on the side of sixty-day comment periods, with a limit of ninety days.¹¹ Following consideration and

⁹ 1 Code of Federal Regulations (CFR) § 18.12.

¹⁰ 5 U.S.C. § 553(c); Executive Order (E.O.) 12866 (1993).

¹¹ E.O. 12866 §6 (1993).

analysis of such comments, a final rule can be developed, and the APA directs that it will be published not less than thirty days before the effective date.¹²

VII. Exceptions to Notice and Comment

The APA has some exceptions to types of rules that may not require comments although the default is to allow a notice and comment process where substantive interests of the public are impacted by a rule. One group of exceptions relates to certain subject areas that are exempt from the requirements of the APA. These exemptions apply to rules relating to a military or foreign affairs functions, or matters related to agency management or personnel or to public property, loans, grants, benefits, or contracts.¹³

There is a second group of exemptions from notice and comment that relate to rules that do not regulate public conduct, including interpretative rules, general statements of policy, or rules of agency organization, procedure or practice which do not need to go through a notice and comment process.¹⁴

Lastly, there is an exception to notice and comment for agency rules where the agency can justify “good cause” why public comment is impracticable, unnecessary, or contrary to the public interest.¹⁵ An explanation of the good cause must be included in the regulation. Where good cause or an exemption for procedural rules or statements of policy exist, a rule may become effective upon publication in the Federal Register, unlike rules that go through notice and comment and are required to have thirty days before the final rule takes effect.¹⁶ There are various situations where the good cause exception can be used including in emergency situations where a regulation needs to take effect immediately to address a specific situation involving public health or safety.¹⁷ There is also substantial litigation and scholarship around the definition of “good cause” and other notice and comment exemptions as the standards are vague and overlapping, and are sometimes improperly claimed by agencies who want to speed up the process without public input.¹⁸ Nonetheless, the APA’s drafters intended that the statute would

¹² 5 U.S.C. § 553(d).

¹³ 5 U.S.C. § 553(c).

¹⁴ 5 U.S.C. § 553(b)(3)(A).

¹⁵ 5 U.S.C. § 553(b)(3)(B).

¹⁶ 5 U.S.C. § 553(d)(2),(3).

¹⁷ Congressional Research Service, *The Good Cause Exception to Notice and Comment Rulemaking: Judicial Review of Agency Action* (Jan. 29, 2016).

¹⁸ For further discussion of the standards and litigation surrounding the exemptions see: Kyle Schneider, Stanford Law Review, *Judicial Review of Good Cause Determinations Under the Administrative Procedures Act* (Jan. 2021).

strongly favor inclusion of notice and comment and that exemptions would be narrowly construed to favor the strong interest in public participation in rulemaking.¹⁹

Standards for judicial review of regulations are further complicated because another section of the APA directs courts to “hold unlawful and set aside agency action, findings and conclusions found to be arbitrary, capricious and an abuse of discretion, or otherwise not in accordance with law; [or] without observance of procedure required by law.”²⁰

VIII. How to Submit Comments

Commenting on regulations is one of the most direct and important ways that the public can influence federal policy. Agencies depend on comments to assess the real impact of policies and actions on the public and, as such, the public’s input on proposed regulations is integral to ensuring that policies are responsive to their purpose. Agencies are also particularly interested in the input of directly impacted individuals who can provide a perspective that is not otherwise available to them. In creating rules, agencies can hold stakeholder meetings to collect information about what should be in a rule before it is published, but that feedback is not official. Comments submitted in response to an ANPRM, or a proposed rule create an official record of public feedback that must be responded to in the agency’s final rule. There is no downside to submitting comments to an agency. Comments are an advocacy tool that organizations and directly impacted individuals should utilize often.

¹⁹ Congress rejected proposals that included the phrase “impracticable because of unavoidable lack of time or other emergency,” for example. See APA: Legislative History, 79th Cong. 1944-46 at 157, 168. See also, Juan L. Kavilla, *The Good Cause Exemption to Notice and Comment Rulemaking Under the Administrative Procedure Act*, 3 ADMIN. L.J. 317 (1946).

²⁰ 5 U.S.C. § 706(2)(A)(D).

A proposed rule (ANPRM or NPRM) will contain all the information necessary to craft a comment including a summary of the issue, legal authority under which the agency is acting, any supplementary information that the agency wants the public to consider, and instructions for how to submit, including the submission deadline. Pertinent details about the rule can be viewed in the gray box labeled “Document Details” on the side of the web page:

Public Charge Ground of Inadmissibility

A Proposed Rule by the U.S. Citizenship and Immigration Services on 08/23/2021

PUBLISHED DOCUMENT

Start Printed Page 47025

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AGENCY:
U.S. Citizenship and Immigration Services, DHS.

ACTION:
Advance notice of proposed rulemaking and notice of virtual public listening sessions.

SUMMARY:
Under provisions of the Immigration and Nationality Act, the Department of Homeland Security (DHS) administers the public charge ground of inadmissibility as it pertains to applicants for admission and adjustment of status. DHS is publishing this advance notice of proposed rulemaking (ANPRM) to seek broad public feedback on the public charge ground of inadmissibility that will inform its development of a future regulatory proposal. DHS intends to propose a rule that will be fully consistent with law; that will reflect empirical evidence to the extent relevant and available; that will be clear, fair, and comprehensible for officers as well as for noncitizens and their families; that will lead to fair and consistent adjudications and thus avoid unequal treatment of the similarly situated; and that will not otherwise unduly impose barriers on noncitizens seeking admission to or adjustment of status in the United States. DHS also intends to ensure that its regulatory proposal does not cause undue fear among immigrant communities or present other obstacles to immigrants and their families accessing public services available to them, particularly in light of the COVID-19 pandemic and the resulting long-term public health and economic impacts in the United States. DHS welcomes input from individuals, organizations, government entities and agencies, and all other interested

DOCUMENT DETAILS

Printed version:
[PDF](#)

Publication Date:
08/23/2021

Agencies:
[U.S. Citizenship and Immigration Services](#)

Dates:
Written comments and related material must be submitted on or before October 22, 2021.

Comments Close:
10/22/2021

Document Type:
Proposed Rule

Document Citation:
86 FR 47025

Page:
47025-47032 (8 pages)

CFR:
8 CFR 212

Agency/Docket Numbers:
CIS No. 2696-21
DHS Docket No. USCIS-2021-0013

RIN:
[1615-AC74](#)

Document Number:
2021-17837

DOCUMENT DETAILS

Be careful to read the submission requirements and to include all information required. Most comment submissions must include the Regulation Identifier Number (RIN) and Agency/Docket numbers that are also included in the Document Details box. The submission deadline at regulations.gov is listed in this section and generally, comments must be submitted no later than 11:59 pm Eastern Standard Time on the last date for which comments are permitted.

IX. Where to Submit Comments

The Federal Register notice for a proposed rule will contain the instructions on how to submit a comment either electronically or by mail. Generally, agencies will accept comments electronically through the regulations.gov website or via email. However, there are some exceptions in which agencies will only accept comments via postal mail. If that is the case, instructions on how to submit and the submission address will be included in the notice. Here is an example of submission instructions for a proposed rule:

ADDRESSES:

You may submit comments on this ANPRM, identified by DHS Docket No. USCIS-2021-0013, through the Federal eRulemaking Portal:

<https://www.regulations.gov>. Follow the website instructions for submitting comments.

Comments submitted in a manner other than the one listed above, including emails or letters sent to DHS or U.S. Citizenship and Immigration Services (USCIS) officials, will not be considered comments on the ANPRM and may not be considered by DHS in informing future rulemaking. Please note that DHS and USCIS cannot accept any comments that are hand-delivered or couriered. In addition, USCIS cannot accept comments contained on any form of digital media storage devices, such as CDs/DVDs and USB drives. USCIS is not accepting mailed comments. If you cannot submit your comment by using <https://www.regulations.gov>, please contact Samantha Deshommes, Chief, Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security, by telephone at (240) 721-3000 for alternate instructions.

On the Federal Register website, you can view the comments submitted by others as well as accompanying documents, such as proposed forms that are pertinent to the rule. You can navigate to the public comments on the left-hand side of the notice. The total number of comments is listed and links are provided to their content. You can see in the example below that for the proposed DACA rule almost 16,000 comments were received.

Deferred Action for Childhood Arrivals

A Proposed Rule by the Homeland Security Department on 09/28/2021



PUBLISHED DOCUMENT

Start Printed Page 53736

AGENCY:

ENHANCED CONTENT - READ PUBLIC COMMENTS

15931

This count refers to the total comment/submissions received on this document as reported by Regulations.gov (last updated on 11/30/2021 at 11:30 pm). Agencies review all submissions and may choose to redact, or withhold, certain submissions (or portions thereof). Submitted comments may not be available to be read until the agency has approved them.

[Read the 15931 public comments on this document](#)

S) established

DOCUMENT DETAILS

Printed version:
PDF

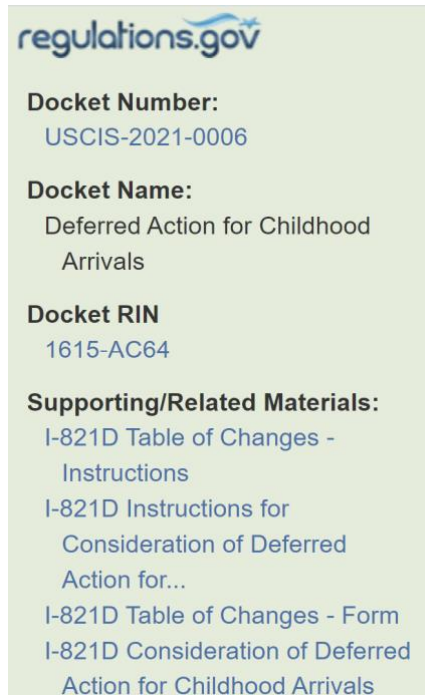
Publication Date:
09/28/2021

Agency:
Department of Homeland Security

Dates:
Written comments and related material must be submitted on or before November 29, 2021.

Comments Close:

The related documents can include proposed forms, tables of changes from the current version of a form to the proposed version, or other documents the agency deems relevant to the rule. When an agency posts a notice updating a form, the proposed version of the form will appear in this list of documents and will often include a table of changes highlighting the different language in the forms and instructions. These documents are not present on every Federal Register Notice, but when they are posted they are located on the lower right-hand side of the screen, under the “Document Details” box.



regulations.gov

Docket Number:
USCIS-2021-0006

Docket Name:
Deferred Action for Childhood Arrivals

Docket RIN
1615-AC64

Supporting/Related Materials:
[I-821D Table of Changes - Instructions](#)
[I-821D Instructions for Consideration of Deferred Action for...](#)
[I-821D Table of Changes - Form](#)
[I-821D Consideration of Deferred Action for Childhood Arrivals](#)

The requirements for submitting comments are limited to including the correct identifying numbers (Docket and RIN) and adhering to the prescribed submission timing and methods. There are no requirements for length or format and no special training is needed to submit comments. Comments should be responsive to the rule. However, there is no requirement on what parts of the rule that a comment responds to. A comment can respond to the rule in its entirety or certain aspects. Focusing on just one part of the rule can ensure that your concerns are highlighted for the agency.

You can submit your comment online (if allowed) through the Federal Register Notice. At the top of the page, if the comment period is still open, you can click the green button that says, “Submit a Formal Comment.”

Agency Information Collection Activities; Extension, Without Change, of a Currently Approved Collection: Application for Asylum and for Withholding of Removal

A Notice by the U.S. Citizenship and Immigration Services on 09/26/2022

This document has a comment period that ends in 32 days. (11/25/2022)

SUBMIT A FORMAL COMMENT



Doing so will allow you to either type in your comment or upload a document as the comment. You can also enter your email address – though it is not required – if you wish to receive a tracking number for your comment or proof that it was submitted. You will need to choose to

state if you are an individual or organization or if you want to submit a comment anonymously. Choosing to remain anonymous does not change the effectiveness of your comment. However, organizational comments and individual comments are viewed differently by agencies due to the differences in perspective.

While you can submit comments as an individual, submitting comments can also be part of a larger, coordinated strategy. Because of the requirement that agencies consider all relevant comments submitted, a coordinated response can help to highlight a particularly important issue.

For example, the recent proposed rule on DACA contained a provision that would have allowed applicants to apply for deferred action and work authorization either separately or together.²¹ There was significant concern from advocacy groups that decoupling these two applications would open the program up to challenges that would lead to the inability of DACA recipients to apply for work authorization. A comment campaign was started focusing on this issue and as a result, thousands of comments were submitted objecting to this measure. When the final rule was published, that provision was changed from the proposed rule in response to the public comments.

X. Analysis of Public Comments and Response

An agency must give the public a meaningful opportunity to submit written comments, in paper or electronic form, and it must consider all relevant matter presented. The E-Government Act of 2002 advises agencies to provide for electronic filing of public comments and make dockets available online.²² Most agencies do provide online portals for filing of comments, but some offices such as EOIR persist in providing a postal mailing address of their office to submit comments. Electronic submission is generally easier, more efficient, and allows the public to see a record of all the comments submitted on regulations.gov.

Courts have interpreted the APA requirements noted above to mean that agencies must provide responses to significant issues raised in the comments. Significant issues are relevant points that, if adopted, would require a change to the agency's proposed rule. Even if the agency declines to alter the rule in response to the significant issue raised, the agency must include an explanation in the final rule that shows it considered the issue and its justification for keeping the rule as is.

There is no amount of time that an agency must take to consider comments before publishing a final rule. However, a final rule must include a summary of the rule, any supplementary

²¹ DHS, *Deferred Action for Childhood Arrivals*, 86 Fed. Reg. 53736 (Sept. 28, 2021).

²² Pub. L. 107- 347 § 206(d).

information and responses to comments received. A final rule, generally, will not be effective until at least thirty days after publication. The effective date could be longer to give the agency time to prepare for implementation. The effective date could also be fewer than thirty days, but the agency must provide justification as to why the rule will go into effect sooner. Generally, final rules will go into effect immediately if they are in response to a natural disaster or public health emergency or if the final rule is making technical changes or alterations that do not have any effect on the public at large.

After a final rule is published and the effective date has passed, the agency can publish other documents that interpret or explain the rule without going through notice and comment. For example, USCIS publishes guidance in its Policy Manual²³ for adjudicators and the public. USCIS does not have to complete notice and comment rulemaking in order to update its Policy Manual, but the public is allowed to submit feedback for a designated time period when changes are published.

XI. Review by the Office of Management and Budget Office of Information and Regulatory Affairs

After a rule – proposed or final – is drafted and before publication in the Federal Register, the rule is sent by the agency to the Office of Management and Budget (OMB) Office of Information and Regulatory Affairs (OIRA) if it is deemed “significant.” A rule is significant if it:

1. Has an annual effect on the economy of \$100 million or more or adversely affects the economy or a sector of the economy in a material way;
2. Creates a serious inconsistency or otherwise interferes with the actions of another agency;
3. Materially alters the budget for federal programs; or
4. Raises a novel legal or policy issue resulting from some other authority,²⁴

Once a rule is determined to be significant, OIRA officials review the rule to ensure that it is within the scope of the agency’s authority under relevant federal law.²⁵ The agency also reviews rules to determine if they are consistent with the current administration’s priorities and that they

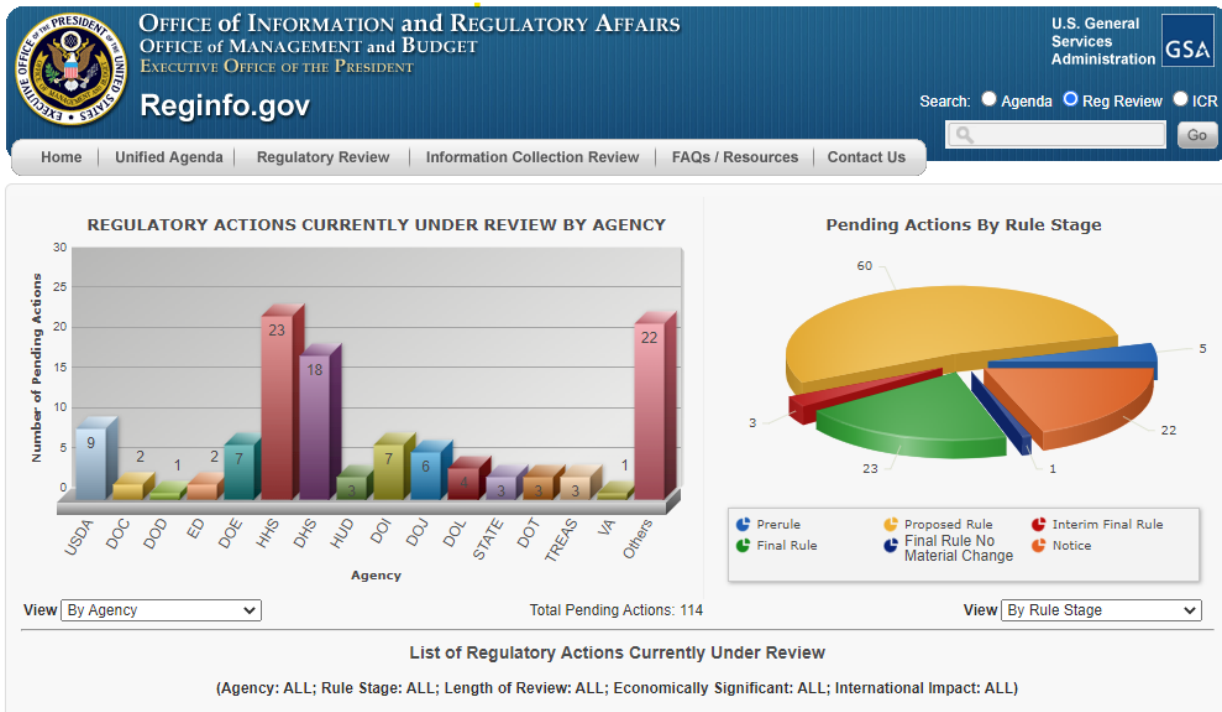
²³ The USCIS Policy Manual is available at <https://www.uscis.gov/policy-manual> and is updated regularly. Members of the public can provide feedback on the policy manual provisions by emailing policyfeedback@uscis.dhs.gov.

²⁴ Office of Information and Regulatory Affairs, <https://www.reginfo.gov/public/>.

²⁵ Specifically, the APA, the Information Quality Act, and Executive Order 12866. The White House, *Information and Regulatory Affairs* (Oct. 24, 2022).

coordinate across agencies. The length of OIRA review can vary but generally is limited to ninety days.²⁶ Once the review is complete, the agency may publish the rule and commence the notice and comment period.

You can view the rules that are currently undergoing OIRA review by viewing the agency’s dashboard on [reginfo.gov](https://www.reginfo.gov).²⁷



The date that the rule was sent to OIRA for review is also listed, which can help determine when the rule might be published, i.e. usually no more than ninety days from the date the rule was received. In the example below, the USCIS Fee Schedule is listed as a proposed rule under OIRA review.

²⁶ Copeland, Curtis W., Congressional Research Service, *Federal Rulemaking: The Role of the Office of Information and Regulatory Affairs* (June 9, 2009).

²⁷ The dashboard can be found at <https://www.reginfo.gov/public/jsp/EO/eoDashboard.myjsp>.

AGENCY: DHS-USCIS	RIN: 1615-AC68	Status: Pending Review
TITLE: U.S. Citizenship and Immigration Services Fee Schedule		
STAGE: Proposed Rule	ECONOMICALLY SIGNIFICANT: Yes	
RECEIVED DATE: 06/27/2022	LEGAL DEADLINE: None	

XII. Conclusion

Commenting on regulations is one of the most direct ways that the public can influence federal agencies in their implementation of the law. For immigration specifically, commenting on regulations is an opportunity to engage with DHS, the U.S. Department of Justice (DOJ) and DOS about rules and policies that affect immigrants’ daily lives. Practitioners should consider making commenting a part of their regular practice as the agency officials writing the regulations may not consider the real-life effect of the regulation until directly impacted individuals describe those effects in their comments.



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About the Immigrant Legal Resource Center

The Immigrant Legal Resource Center (ILRC) works with immigrants, community organizations, legal professionals, law enforcement, and policy makers to build a democratic society that values diversity and the rights of all people. Through community education programs, legal training and technical assistance, and policy development and advocacy, the ILRC’s mission is to protect and defend