RULEMAKING:
DEMOCRACY IN ACTION

The Administrative Procedure Act (APA) sets the rules federal agencies must follow when creating regulations and making decisions. It explains how agencies propose and finalize rules, when courts can review agency actions and what standards courts use during that review. The APA also outlines how courts evaluate agency decisions, including whether an agency acted reasonably when creating, changing or repealing a rule.

PROCESS

01 PROPOSED RULE

An agency publishes its proposed changes in the Federal Register that explains the agency's plan to address a problem or accomplish a goal

02 PUBLIC COMMENT

Individuals, organizations, and state and local governments can submit comments, concerns, evidence, and information about how the proposed changes could affect their communities for a limited period of time.

03 AGENCY REVIEW

An agency reviews the public comments and must consider and respond to significant issues raised.

04 FINAL DECISION

The agency may finalize, change, or withdraw the proposed rule. If it issues a final rule, it must explain its decisions and respond to significant issues raised during the public comment period.

CURRENT RULE

- Docket: 260903-0005
- RIN 0607-AA75
- USBC-2026-0628
- "Decennial Census of the Population of Americans; Proposed Residence Criteria and Proposed Regulations for Demographic Questions"

- **Deadline to submit a comment on this rule is November 2, 2026, at 11:59 p.m.**

- Census Bureau will be the agency which will review the comments and respond to significant issues raised.

THIS IS WHY COMMENTS ARE CRITICAL TO THE PROCESS

Public comments help shape federal rules by providing information, examples, and concerns that agencies must consider and address in final rules.

SOURCE: Congressional Research Service; A Brief Overview of Rulemaking and Legal Review

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