

110TH CONGRESS
2^D SESSION

H. R. 3548

AN ACT

To enhance citizen access to Government information and services by establishing plain language as the standard style for Government documents issued to the public, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Plain Language in
3 Government Communications Act of 2008”.

4 **SEC. 2. PURPOSE.**

5 The purpose of this Act is to improve the Federal
6 Government’s effectiveness and accountability to the pub-
7 lic by promoting clear communication that the public can
8 understand and use.

9 **SEC. 3. DEFINITIONS.**

10 In this Act:

11 (1) **AGENCY.**—The term “agency” means an
12 Executive agency, as that term is defined in section
13 105 of title 5, United States Code.

14 (2) **PLAIN LANGUAGE.**—The term “plain lan-
15 guage” means language that the intended audience
16 can readily understand and use because it is clear,
17 concise, well-organized, and follows other best prac-
18 tices of plain language writing.

19 **SEC. 4. RESPONSIBILITIES OF FEDERAL AGENCIES.**

20 (a) **REQUIREMENT TO USE PLAIN LANGUAGE IN**
21 **NEW DOCUMENTS.**—Within one year after the date of the
22 enactment of this Act, each agency—

23 (1) shall use plain language in any covered doc-
24 ument of the agency issued or substantially revised
25 after the date of the enactment of this Act;

1 (2) may use plain language in any revision of
2 a covered document issued on or before such date;
3 and

4 (3) shall, when appropriate, use the English
5 language in covered documents.

6 (b) GUIDANCE.—In implementing subsection (a), an
7 agency may follow either the guidance of the Plain English
8 Handbook, published by the Securities and Exchange
9 Commission, or the Federal Plain Language Guidelines.
10 If any agency has its own plain language guidance, the
11 agency may use that guidance, as long as it is consistent
12 with the Federal Plain Language Guidelines, the Plain
13 English Handbook, published by the Securities and Ex-
14 change Commission, and the recommendations made by
15 the Comptroller General under section 5(c).

16 (c) ADDITIONAL PROVISIONS RELATING TO USE OF
17 ENGLISH LANGUAGE.—Nothing in this Act shall be con-
18 strued—

19 (1) to prohibit the use of a language other than
20 English;

21 (2) to limit the preservation or use of Native
22 Alaskan or Native American languages (as defined
23 in the Native American Languages Act);

24 (3) to disparage any language or discourage
25 any person from learning or using a language;

1 (4) to impact or affect protections regarding
2 language access; or

3 (5) to be inconsistent with the Constitution of
4 the United States.

5 (d) COVERED DOCUMENT.—In this section, the term
6 “covered document”—

7 (1) means any document that explains how to
8 obtain a benefit or service or file taxes, or that is
9 relevant to obtaining a benefit or service or filing
10 taxes; and

11 (2) includes, whether in paper or electronic
12 form, a letter, publication, form, notice, or instruc-
13 tion but does not include a regulation.

14 (e) USE OF PLAIN LANGUAGE BY AGENCIES.—Each
15 agency should, to the extent practicable and appropriate,
16 use plain language in any collection of information (as de-
17 fined in section 3502(3)(A)(i) of title 44, United States
18 Code).

19 (f) INCORPORATION OF COMPTROLLER GENERAL
20 RECOMMENDATIONS.—

21 (1) REPORTS.—

22 (A) FEDERAL AVIATION ADMINISTRA-
23 TION.—The Administrator of the Federal Avia-
24 tion Administration, acting through the Plain
25 Language Action and Information Network,

1 shall submit to the committees described in
2 paragraph (2) a report on whether the rec-
3 ommendations made by the Comptroller Gen-
4 eral in the report under section 5(c) have been
5 incorporated into the Federal Plain Language
6 Guidelines described in subsection (b), and, if
7 such recommendations have not been incor-
8 porated, an explanation of why they have not
9 been incorporated.

10 (B) SECURITIES AND EXCHANGE COMMIS-
11 SION.—The Securities and Exchange Commis-
12 sion shall submit to the committees described in
13 paragraph (2) a report on whether the rec-
14 ommendations made by the Comptroller Gen-
15 eral in the report under section 5(c) have been
16 incorporated into the Plain English Handbook
17 described in subsection (b), and, if such rec-
18 ommendations have not been incorporated, an
19 explanation of why they have not been incor-
20 porated.

21 (2) COMMITTEES.—The committees described
22 in this paragraph are the Committee on Oversight
23 and Government Reform of the House of Represent-
24 atives and the Committee on Homeland Security and
25 Governmental Affairs of the Senate.

1 (3) DEADLINE.—The reports required under
2 paragraph (1) shall be submitted within six months
3 after the issuance of the report provided by the
4 Comptroller General under section 5(c).

5 **SEC. 5. REPORTS TO CONGRESS.**

6 (a) INITIAL REPORT.—Within six months after the
7 date of the enactment of this Act, the head of each agency
8 shall submit to the Committee on Oversight and Govern-
9 ment Reform of the House of Representatives and the
10 Committee on Homeland Security and Governmental Af-
11 fairs of the Senate a report that describes how the agency
12 intends to meet the following objectives:

13 (1) Communicating the requirements of this
14 Act to agency employees.

15 (2) Training agency employees to write in plain
16 language.

17 (3) Meeting the deadline set forth in section
18 4(a).

19 (4) Ensuring ongoing compliance with the re-
20 quirements of this Act.

21 (5) Designating a senior official to be respon-
22 sible for implementing the requirements of this Act.

23 (6) Using, to the extent practicable and appro-
24 priate, plain language in regulations promulgated by
25 the agency.

1 (b) ANNUAL AND OTHER REPORTS.—

2 (1) The head of each agency shall submit to the
3 Committee on Oversight and Government Reform of
4 the House of Representatives and the Committee on
5 Homeland Security and Governmental Affairs of the
6 Senate a report on—

7 (A) compliance with this Act; and

8 (B) the agency's continued efforts to meet
9 the objectives specified in subsection (a).

10 (2) A report under this subsection shall be sub-
11 mitted—

12 (A) annually for the first two years after
13 the date of the enactment of this Act; and

14 (B) once every three years thereafter.

15 (c) EVALUATION AND REPORT BY COMPTROLLER
16 GENERAL.—Within six months after the date of the enact-
17 ment of this Act, the Comptroller General shall evaluate
18 existing guidance for agencies on writing in plain lan-
19 guage, including the guidance listed in section 4(b), and
20 provide to the Office of Management and Budget, the
21 Committee on Oversight and Government Reform of the
22 House of Representatives, and the Committee on Home-
23 land Security and Governmental Affairs of the Senate a
24 report providing recommendations on—

- 1 (1) plain language guidelines; and
- 2 (2) best practices for plain language.

Passed the House of Representatives April 14, 2008.

Attest:

Clerk.

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