To enhance citizen access to Government information and services by establishing that Government documents issued to the public must be written clearly, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 10, 2009
Mr. BRALEY of Iowa introduced the following bill; which was referred to the Committee on Oversight and Government Reform

MARCH 11, 2010
Additional sponsors: Mr. BURTON of Indiana, Ms. FOXX, Mr. LOEBSACK, Mr. BOSWELL, Mr. WELCH, Mr. SIRES, Mr. MORAN of Virginia, Mr. WATT, Mrs. DAHLKEMPER, and Ms. NORTON

MARCH 11, 2010
Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on February 10, 2009]
A BILL

To enhance citizen access to Government information and services by establishing that Government documents issued to the public must be written clearly, and for other purposes.
Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Plain Writing Act of
2010”.

SEC. 2. PURPOSE.

The purpose of this Act is to improve the effectiveness
and accountability of Federal agencies to the public by pro-
moting clear Government communication that the public
can understand and use.

SEC. 3. DEFINITIONS.

In this Act:

(1) AGENCY.—The term “agency” means an Ex-
ecutive agency, as defined under section 105 of title
5, United States Code.

(2) COVERED DOCUMENT.—The term “covered
document”—

(A) means any document that—

(i) is relevant to obtaining any Federal
Government benefit or service or filing
taxes;

(ii) provides information about any
Federal Government benefit or service; or
(iii) explains to the public how to comply with a requirement the Federal Government administers or enforces;

(B) includes (whether in paper or electronic form) a letter, publication, form, notice, or instruction; and

(C) does not include a regulation.

(3) Plain Writing.—The term “plain writing” means writing that the intended audience can readily understand and use because that writing is clear, concise, well-organized, and follows other best practices of plain writing.

SEC. 4. RESPONSIBILITIES OF FEDERAL AGENCIES.

(a) Preparation for Implementation of Plain Writing Requirements.—

(1) In General.—Not later than 9 months after the date of enactment of this Act, the head of each agency shall—

(A) designate 1 or more senior officials within the agency to oversee the agency implementation of this Act;

(B) communicate the requirements of this Act to the employees of the agency;

(C) train employees of the agency in plain writing;
(D) establish a process for overseeing the ongoing compliance of the agency with the requirements of this Act;

(E) create and maintain a plain writing section of the agency’s website that is accessible from the homepage of the agency’s website; and

(F) designate 1 or more agency points-of-contact to receive and respond to public input on—

   (i) agency implementation of this Act;

   and

   (ii) the agency reports required under section 5.

(2) WEBSITE.—The plain writing section described under paragraph (1)(E) shall—

   (A) inform the public of agency compliance with the requirements of this Act; and

   (B) provide a mechanism for the agency to receive and respond to public input on—

   (i) agency implementation of this Act;

   and

   (ii) the agency reports required under section 5.

(b) REQUIREMENT TO USE PLAIN WRITING IN NEW DOCUMENTS.—Beginning not later than 1 year after the
date of enactment of this Act, each agency shall use plain
writing in every covered document of the agency that the
agency issues or substantially revises.

(c) GUIDANCE.—

(1) IN GENERAL.—Not later than 6 months after
the date of enactment of this Act, the Director of the
Office of Management and Budget shall develop and
issue guidance on implementing the requirements of
this section. The Director may designate a lead agen-
cy, and may use interagency working groups to assist
in developing and issuing the guidance.

(2) INTERIM GUIDANCE.—Before the issuance of
guidance under paragraph (1), agencies may follow
the guidance of—

(A) the writing guidelines developed by the
Plain Language Action and Information Net-
work; or

(B) guidance provided by the head of the
agency that is consistent with the guidelines re-
ferred to in subparagraph (A).

SEC. 5. REPORTS TO CONGRESS.

(a) INITIAL REPORT.—Not later than 9 months after
the date of enactment of this Act, the head of each agency
shall publish on the plain writing section of the agency’s
website a report that describes the agency plan for compliance with the requirements of this Act.

(b) ANNUAL COMPLIANCE REPORT.—Not later than 18 months after the date of enactment of this Act, and annually thereafter, the head of each agency shall publish on the plain writing section of the agency’s website a report on agency compliance with the requirements of this Act.

SEC. 6. JUDICIAL REVIEW AND ENFORCEABILITY.

(a) JUDICIAL REVIEW.—There shall be no judicial review of compliance or noncompliance with any provision of this Act.

(b) ENFORCEABILITY.—No provision of this Act shall be construed to create any right or benefit, substantive or procedural, enforceable by any administrative or judicial action.
A BILL

[Report No. 111-432]

H. R. 946

Union Calendar No. 248

To enhance citizen access to Government information and to amend the Freedom of Information Act to require Federal agencies to draft preliminary versions of their rules and regulations in plain language, and for other purposes.

March 11, 2010

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed.