

113TH CONGRESS
1ST SESSION

H. R. 1557

To ensure clarity of regulations to improve the effectiveness of Federal regulatory programs while decreasing burdens on the regulated public.

IN THE HOUSE OF REPRESENTATIVES

APRIL 15, 2013

Mr. BRALEY of Iowa introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To ensure clarity of regulations to improve the effectiveness of Federal regulatory programs while decreasing burdens on the regulated public.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be referred to as the “Plain Regula-
5 tions Act of 2013”.

6 **SEC. 2. PURPOSE.**

7 The purpose of this Act is to improve the effective-
8 ness and accountability of Federal agencies to the public

1 by promoting clear regulations that are easier for the Gov-
2 ernment to implement and for the public to comply with.

3 **SEC. 3. DEFINITIONS.**

4 In this Act:

5 (1) AGENCY.—The term “agency” means an
6 Executive agency, as that term is defined in section
7 105 of title 5, United States Code.

8 (2) REGULATION.—The term “regulation”
9 means a rule, as that term is defined in section
10 551(4) of title 5, United States Code, that is issued
11 by an agency.

12 (3) PLAIN LANGUAGE.—The term “plain lan-
13 guage” means language that is clear, concise, well-
14 organized, minimizes cross references, and follows
15 other best practices appropriate to the subject or
16 field and intended audience.

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

18 (a) PREPARATION FOR IMPLEMENTATION OF PLAIN
19 WRITING REQUIREMENTS FOR REGULATIONS.—

20 (1) IN GENERAL.—Not later than 9 months
21 after the date of the enactment of this Act, the head
22 of each agency shall—

23 (A) designate one or more senior officials
24 within the agency to oversee the agency imple-
25 mentation of this Act;

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

3 (C) train employees of the agency to use
4 plain language in developing, writing, and im-
5 plementing regulations;

6 (D) establish a process for overseeing the
7 ongoing compliance of the agency with the re-
8 quirements of this Act; and

9 (E) serve as an agency point-of-contact to
10 receive and respond to public input on—

11 (i) agency implementation of this Act;

12 and

13 (ii) the agency reports required under
14 section 6.

15 (2) PERSONS DESIGNATED.—Persons des-
16 ignated under paragraph (1)(A) or (1)(E) may be
17 the same persons designated to carry out similar
18 functions under the Plain Writing Act of 2010 (Pub-
19 lic Law 111–272; 5 U.S.C. 301 note).

20 (b) REQUIREMENT TO USE PLAIN LANGUAGE IN
21 NEW AND REVISED REGULATIONS.—Not later than 12
22 months after the date of the enactment of this Act, each
23 agency shall use plain language in accordance with the
24 guidance issued by the Director of the Office of Manage-
25 ment and Budget under the Plain Writing Act of 2010

1 (Public Law 111–274; 5 U.S.C. 301 note) in all new and
2 substantially revised proposed and final regulations issued
3 by the agency.

4 (c) CERTIFICATION OF COMPLIANCE.—For each pro-
5 posed or final regulation of an agency, the head of the
6 agency or a person designated under subsection (a)(1)
7 shall certify to the Director that the agency head has read
8 the text of the proposed or final regulation and that it
9 is in plain language.

10 (d) EXEMPTION FROM CERTAIN INFORMATION COL-
11 LECTION PROVISIONS.—Agency actions to collect informa-
12 tion from the public about a regulation are exempt from
13 the information collection provisions of sections 3506(c)
14 and 3507 of title 44, United States Code, if the agency
15 head certifies that the sole reason for the information col-
16 lection is to improve the clarity of the regulation under
17 the requirements of this Act.

18 **SEC. 5. RESPONSIBILITIES OF OFFICE OF MANAGEMENT**
19 **AND BUDGET.**

20 (a) RETURN OF REGULATIONS.—If the Director
21 finds that the agency did not follow the guidance issued
22 by the Director under the Plain Writing Act of 2010 (Pub-
23 lic Law 111–274; 5 U.S.C. 301 note) on any proposed
24 or final regulation issued by an agency, the Director shall

1 return the regulation to the agency to be redrafted in plain
2 language and resubmitted to the Director for approval.

3 (b) PUBLICATION OF CERTIFICATIONS.—The Direc-
4 tor shall publish the certifications from agency heads re-
5 quired under section 4(c) on the official Web site of the
6 Office of Management and Budget.

7 **SEC. 6. REPORTS.**

8 (a) INITIAL REPORT.—Not later than 9 months after
9 the date of the enactment of this Act, the head of each
10 agency shall publish on the plain writing section of the
11 agency's Web site created under the Plain Writing Act of
12 2010 (Public Law 111–274; 5 U.S.C. 301 note) a report
13 that describes the agency plan for compliance with the re-
14 quirements of this Act.

15 (b) ANNUAL COMPLIANCE REPORT.—Not later than
16 18 months after the date of the enactment of this Act,
17 and annually thereafter, the head of each agency shall
18 publish on such plain writing section of the agency's Web
19 site a report on agency compliance with the requirements
20 of this Act.

21 **SEC. 7. JUDICIAL REVIEW AND ENFORCEABILITY.**

22 (a) JUDICIAL REVIEW.—No court shall have jurisdic-
23 tion to review compliance or noncompliance with any pro-
24 vision of this Act.

1 (b) ENFORCEABILITY.—No provision of this Act shall
2 be construed to create any right or benefit, substantive
3 or procedural, enforceable by any administrative or judi-
4 cial action.

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