

Union Calendar No. 248

111TH CONGRESS
2^D SESSION

H. R. 946

[Report No. 111-432]

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.

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 cited as the “Plain Writing Act of*
5 *2010”.*

6 **SEC. 2. PURPOSE.**

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

11 **SEC. 3. DEFINITIONS.**

12 *In this Act:*

13 (1) *AGENCY.*—*The term “agency” means an Ex-*
14 *ecutive agency, as defined under section 105 of title*
15 *5, United States Code.*

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

18 (A) *means any document that—*

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

22 (ii) *provides information about any*
23 *Federal Government benefit or service; or*

1 (iii) explains to the public how to com-
2 ply with a requirement the Federal Govern-
3 ment administers or enforces;

4 (B) includes (whether in paper or electronic
5 form) a letter, publication, form, notice, or in-
6 struction; and

7 (C) does not include a regulation.

8 (3) *PLAIN WRITING*.—The term “plain writing”
9 means writing that the intended audience can readily
10 understand and use because that writing is clear, con-
11 cise, well-organized, and follows other best practices of
12 plain writing.

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

14 (a) *PREPARATION FOR IMPLEMENTATION OF PLAIN*
15 *WRITING REQUIREMENTS*.—

16 (1) *IN GENERAL*.—Not later than 9 months after
17 the date of enactment of this Act, the head of each
18 agency shall—

19 (A) designate 1 or more senior officials
20 within the agency to oversee the agency imple-
21 mentation of this Act;

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

24 (C) train employees of the agency in plain
25 writing;

1 (D) establish a process for overseeing the on-
2 going compliance of the agency with the require-
3 ments of this Act;

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

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

10 (i) agency implementation of this Act;

11 and

12 (ii) the agency reports required under
13 section 5.

14 (2) WEBSITE.—The plain writing section de-
15 scribed under paragraph (1)(E) shall—

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

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

20 (i) agency implementation of this Act;

21 and

22 (ii) the agency reports required under
23 section 5.

24 (b) REQUIREMENT TO USE PLAIN WRITING IN NEW
25 DOCUMENTS.—Beginning not later than 1 year after the

1 *date of enactment of this Act, each agency shall use plain*
2 *writing in every covered document of the agency that the*
3 *agency issues or substantially revises.*

4 *(c) GUIDANCE.—*

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

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

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

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

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

22 *(a) INITIAL REPORT.—Not later than 9 months after*
23 *the date of enactment of this Act, the head of each agency*
24 *shall publish on the plain writing section of the agency's*

1 *website a report that describes the agency plan for compli-*
2 *ance with the requirements of this Act.*

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

8 **SEC. 6. JUDICIAL REVIEW AND ENFORCEABILITY.**

9 *(a) JUDICIAL REVIEW.—There shall be no judicial re-*
10 *view of compliance or noncompliance with any provision*
11 *of this Act.*

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

Union Calendar No. 248

11TH CONGRESS
2^D SESSION

H. R. 946

[Report No. 111-432]

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.

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