

Best Practice – Plain Language

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Plain Language Action and Information Network



Plain language

History



History

- ▶ **1970s:**
- ▶ **President Nixon**
 - ▶ the Federal Register be written in “layman's terms.”
- ▶ **Federal Communications Commission**
 - ▶ Citizens Band Radios rules
- ▶ **President Carter**
 - ▶ Executive Orders intended to make government regulations “cost-effective and easy-to-understand”





History

- ▶ **1980s:**
- ▶ President Reagan rescinded President Carter's Executive Orders
- ▶ Social Security Administration





History

- ▶ **1990s:**
- ▶ President Clinton issued a Presidential Memorandum
- ▶ Vice President Al Gore presented No Gobbledygook awards
- ▶ The Securities and Exchange Commission
 - ▶ The Plain English Handbook
- ▶ Veteran's Benefits Administration
 - ▶ Reader Focused Writing
- ▶ Plain English Network was formed.





History

- ▶ **2000s:**
- ▶ The Bush administration did not have a formal plain language initiative.
- ▶ Many agencies have strong, active plain-language programs in place.
 - ▶ **Federal Aviation Administration (FAA)**
 - ▶ **U.S. Citizenship and Immigration Service (USCIS)**
 - ▶ **Food and Drug Administration (FDA)**
 - ▶ **National Institutes of Health (NIH)**



The Plain Writing Act of 2010



Plain Writing Act of 2010

- ▶ Act requires federal agencies to use clear communication that the public can understand.
- ▶ Included are documents that:
 - ▶ Are needed to get federal benefits or services or for filing taxes;
 - ▶ Provide information about benefits or services; or
 - ▶ Explain how to comply with requirements administered or enforced by the federal government





Plain Writing Act of 2010

By July 13, 2011 agencies must:

- ▶ Designate a senior official for "plain writing"
- ▶ Explain and train agency staff on the Act
- ▶ Set up a procedure to oversee implementation of the Act
- ▶ Have agency points of contact for the Act
- ▶ Post compliance plans on line





Plain Writing Act of 2010

Starting October 13, 2011 agencies must:

- ▶ Use plain language in any new or substantially revised document
- ▶ Write annual compliance reports and post these reports on its plain language web page





Regulations

- ▶ The Act does not cover regulations
- ▶ The following Executive Orders emphasize the need for plain language in regulations:
 - ▶ E.O. 13563 Improving Regulation and Regulatory Review
 - ▶ E.O. 12866 Regulatory Planning and Review
 - ▶ E.O. 12988 Civil Justice Reform
- ▶ **Best Practices for Federal Agencies**





Examples

Veteran's Benefits Administration

- ▶ Every several years the Veterans Benefits Administration sends a letter to all veterans, asking them for an up-to-date beneficiary.
- ▶ If a veteran dies and the beneficiary listed in his VA file isn't valid, the VA must find a valid beneficiary.
- ▶ It costs the VA several thousand dollars to do the research to find a valid beneficiary.



Veteran's Benefits Administration

Higher response rate, lower costs

| | Response Rate |
|-----------------------|---------------|
| Original letter | 35% |
| Plain Language Letter | 58% |

Estimated savings

\$8 mil every mailing cycle



Bureau of Alcohol, Tobacco, and Firearms

- ▶ Revised a regulation on labeling beer into plain language.
- ▶ Administered questions based on the regulation to two groups – beer industry insiders and related industry.
- ▶ Comprehension, based on correct answers, was higher for the plain language version –
 - Beer industry insiders - + 19%
 - Other industry - +27%





Housing and Urban Development

HUD wanted to

- ▶ Save borrowers money by encouraging them to shop for the most economical mortgage,
- ▶ Provide borrowers with a summary of loan terms that helped them ask questions about the offer, and
- ▶ Identify clearly the settlement costs so borrowers could make an informed decision about which mortgage offered the best deal.



Housing and Urban Development

- ▶ HUD economists estimate that encouraging borrowers to shop for loan offers saves them on average \$700 each.
- ▶ Total potential savings to borrowers from the new form, based on projections of numbers of borrowers, is \$8.75 billion annually.





TIPS

Writing for your audience

Put yourself in your reader's shoes

- ▶ Who is my audience?
- ▶ What does my audience need to know?
- ▶ What does my audience already know about the subject?
- ▶ What questions will my audience have?





Use active voice

Be transparent! Show who or what is doing the action upfront.

Instead of: New regulations were proposed.

Use: The Department of Transportation
proposed new regulations.



Organize to help the reader

- ▶ Anticipate questions an informed reader is likely to ask
- ▶ Organize writing to answer questions in the order the reader will ask them



Simpler is Better

“The spherical object used for recreational purposes, sometimes referred to by individuals as a ‘ball,’ was struck by a male humanoid who responded to, and was given by his progenitors the moniker of, ‘Jack.’ ”



Simpler is Better

Jack hit the ball



Use short sentences


- ▶ Only one subject in each sentence
- ▶ Avoid complexity and confusion
- ▶ Aim for 20 words per sentence or fewer





Keep it short

With respect to the review of existing regulations and the promulgation of new regulations, section 3(a) of Executive Order 12988, “Civil Justice Reform,” 61 FR 4729 (February 7, 1996), imposes on Executive agencies the general duty to adhere to the following requirements: (1) Eliminate drafting errors and ambiguity; (2) write regulations to minimize litigation; and (3) provide a clear legal standard for affected conduct rather than a general standard and promote simplification and burden reduction. With regard to the review required by section 3(a), section 3(b) of Executive Order 12988 specifically requires that Executive agencies make every reasonable effort to ensure that the regulation: (1) Clearly specifies the preemptive effect, if any; (2) clearly specifies any effect on existing Federal law or regulation; (3) provides a clear legal standard for affected conduct while promoting simplification and burden reduction; (4) specifies the retroactive effect, if any; (5) adequately defines key terms; and (6) addresses other important issues affecting clarity and general draftsmanship under any guidelines issued by the Attorney General. Section 3(c) of Executive Order 12988 requires Executive agencies to review regulations in light of applicable standards in section 3(a) and section 3(b) to determine whether they are met or it is unreasonable to meet one or more of them. DHS has completed the required review and determined that, to the extent permitted by law, this final rule meets the relevant standards of Executive Order 12988.





Keep it short

This rule meets the requirements found in sections 3(a) and 3(b)(2) of Executive Order 12988.



Jargon and acronyms

- ▶ **Avoid obscure and archaic language**
 - ▶ Example: Hereby, Wherefore, ab initio
- ▶ **Use language your audience is familiar with**
 - ▶ Instead of: The patient is being given positive-pressure ventilatory support.
 - ▶ Use: The patient is on a respirator.
- ▶ **Define your acronyms**
 - ▶ You may use your Transportation Worker Identification Credential (TWIC) at port authority checkpoints.





Resources





Resources

- ▶ PLAIN monthly meetings
 - ▶ Held the 2nd Wednesday of each month.
- ▶ PLAIN's website: www.plainlanguage.gov
- ▶ Federal Plain Language Guidelines.
 - ▶ <http://www.plainlanguage.gov/howto/guidelines/bigdoc/index.cfm>

