



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

November 22, 2010

M-11-05

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

FROM: Cass R. Sunstein *CRS*
Administrator, Office of Information and Regulatory Affairs

SUBJECT: Preliminary Guidance for the Plain Writing Act of 2010

On October 13, 2010, President Obama signed into law the Plain Writing Act of 2010 (the Act), which is designed to promote “clear Government communication that the public can understand and use.”¹ The Act requires the Office of Management and Budget (OMB) to “develop and issue guidance on implementing the requirements” of the Act by April 13, 2011. Final guidance will be developed by that time; in the interim, this Memorandum offers guidance to provide initial direction to Federal agencies.

Plain writing is concise, simple, meaningful, and well-organized. It avoids jargon, redundancy, ambiguity, and obscurity. It does not contain unnecessary complexity.

Plain writing should be seen as an essential part of open government. In his January 21, 2009 Memorandum on Transparency and Open Government, President Obama made a commitment to establish “a system of transparency, public participation, and collaboration.” Transparency, public participation, and collaboration cannot easily occur without plain writing. Clear and simple communication can eliminate significant barriers to public participation in important programs for benefits and services. Avoiding ambiguity and unnecessary complexity can increase compliance simply because people understand better what they are supposed to do. Plain writing is no mere formal requirement; it can be essential to the successful achievement of legislative or administrative goals, and it promotes the rule of law.

Past efforts have shown that agencies can reduce costs by creating documents in plain writing. For example, plain writing can:

- reduce questions from the public to agency staff;
- improve compliance with regulations;
- reduce resources spent on enforcement;

¹ Plain Writing Act of 2010 (H.R. 946), available at http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_bills&docid=f:h946enr.txt.pdf

- reduce errors on forms and applications; and
- reduce time spent addressing errors.

Preliminary Guidance on Implementing the Plain Writing Act of 2010

- **Official interagency working group.** OMB is designating the Plain Language Action and Information Network (PLAIN) as the official interagency working group to assist in developing the required guidance. You can learn more about PLAIN at www.plainlanguage.gov. As a first step, your agency should consult with PLAIN to determine if your agency has a representative in this group who can assist in carrying out your plain writing efforts. You can contact PLAIN's co-chairs Amy Bunk and Kathryn Catania at amy.bunk@nara.gov and kathryn.catania@dhs.gov to make this determination.
- **Senior official for plain writing.** The Act requires that by July 13, 2011, your agency must designate one or more senior officials responsible for your agency's implementation of the Act and related OMB guidance. Because these senior officials will be asked periodically to brief OMB and White House officials on your agency's efforts to implement plain writing, they should:
 - be sufficiently senior, with cross-cutting agency responsibilities;
 - oversee agency programs, personnel, technology, regulations, or policy; and
 - be involved in agency communications.
- **Covered documents.** The Act requires that by October 13, 2011, the following documents must be written in plain language:
 - those that are necessary for obtaining any Federal Government benefit or service, or filing taxes;
 - those that provide information about any Federal Government benefit or service; or
 - those that explain to the public how to comply with a requirement that the Federal Government administers or enforces.

Specialized or technical publications should follow plain writing guidelines, but should also take into account the intended audience of the document and its knowledge of the subject. Reports or notices that inform the public of significant actions should also be in plain writing.

- **Clear disclosure and simplification.** Communication between agencies and the public must be attuned to how people process information. A lack of clarity may prevent people from becoming sufficiently aware of programs or services, and the prospect of confusing or complex forms may discourage participation. When disclosing information to the

public, agencies should communicate in a way that is clear, simple, meaningful, and jargon-free.²

- **Plain writing.** Unless your agency already has plain writing guidelines that meet the requirements of the Act and this Memorandum, you should follow the PLAIN “Federal Plain Language Guidelines” when drafting covered documents. These guidelines can be found at <http://www.plainlanguage.gov/howto/guidelines/bigdoc/TOC.cfm>.
- **Plain writing website.** Under the Act, your agency must “create and maintain a plain writing section of the agency’s website . . . that is accessible from the homepage of the agency’s website.” Consistent with the goals of open government, this website must inform the public of your agency’s compliance with the requirements of the Act and provide a mechanism for the agency to receive and respond to public input.
 - This section on your agency’s website must either be located on or accessible from your open government webpage located at [www.\[agency\].gov/open](http://www.[agency].gov/open).³
 - Your agency may use a model plain writing web template and obtain information on best practices for this webpage from the Federal Web Managers Council at <http://www.webcontent.gov>.
- **Implementation reports.** While your agency should begin to plan how it will implement the requirements of the Act, OMB will issue final guidance before the implementation reports become due on July 13, 2011. This final guidance will provide further direction that will help agencies to create and standardize their reports.

Your agency should proceed with plain writing efforts based on the initial direction provided by this Memorandum.

For agency questions on implementing plain writing, please contact the PLAIN co-chairs mentioned above. For other agency questions on this Memorandum, please contact OMB’s Information Policy Branch, located in the Office of Information and Regulatory Affairs, at infopolicy-oira@omb.eop.gov.

Thank you for your cooperation.

² OMB guidance on using disclosure and simplification as regulatory tools can be found here: http://www.whitehouse.gov/sites/default/files/omb/assets/inforeg/disclosure_principles.pdf.

³ OMB Memorandum, M-10-06, Open Government Directive (Dec. 8, 2009) (requiring each agency to create a “open” webpage), available at http://www.whitehouse.gov/omb/assets/memoranda_2010/m10-06.pdf.