

The US Plain Writing Act

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March 2011

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Outline of the presentation

- Brief history of plain language in the US government
- Benefits of plain language
- What it takes to pass a bill
- The Plain Writing Act – major provisions
- How we define plain language
- Temporary guidance on implementing the act

First, a bit of history

- In the 90s, the Clinton/Gore administration developed a strong interest in plain language.
- A group of federal employees started meeting regularly. They encouraged their agencies to communicate more clearly.
- The federal group is now called PLAIN. It has a useful website at www.plainlanguage.gov.
- President Clinton issued a [presidential memo](#) requiring plain language in June, 1998. At the same time, Vice President Gore started the [No Gobbledygook awards](#).

- Throughout the 90s and 00s, many agencies developed an interest in plain language—Veterans Benefits Administration, Food and Drug Administration, Security and Exchange Commission, National Institutes of Health, and others.

Why did agencies get interested?

There are several reasons managers – government or private sector – become interested in plain language.

- Better customer service.
- More trust from customers and citizens.
- But most importantly – **an improved bottom line.**

Veterans Benefits Administration

- One local office decided to rewrite one standard benefits letter into plain language.
- Significantly fewer calls from customers.
- More veterans applied for and were awarded benefits.

Fewer calls from customers

	Old letter	Plain Language letter
Calls to each counselor each month	91.4	16
Total calls each year, 10 counselors	10,968	1920

Washington State

Office of Public Records developed clearer instructions for citizens asking for public records.

- Before, 10% of people requesting records called with process questions.
- After the new instructions came out, fewer than 1% called with processing questions.

California Courts

- California tested plain language in 2 court forms, a proof of service and a subpoena.
- 60 volunteers divided into 2 groups read either the original or plain language version of each document.
- Testers then read aloud 10 questions about the forms, and the volunteers wrote down the answers. They had 20 seconds to answer each question.

California results

	Old version – Average % correct	New version – Average % correct
Proof of service	65	81
Subpoena	65	95

Federal Communications Commission

- Revised regulations about radio operations on pleasure boats to improve their clarity.
- A research firm studied how easy it was for users to find answers to questions in the old and new versions.
- The test groups included both new and experienced users.

Less time for users to solve a problem (in minutes)

Type of user	Old rule	New rule
Experienced	2.43	1.50
Inexperienced	3.51	1.73

FCC pleasure boat radio regulation

Canadian Government

- An extensive project revising forms into plainer language and format.
- They saved time for their agencies and achieved a higher rate of compliance with requirements.

Shorter processing, more returns

Name of Form	Original Version	Plain Language Version
Operating Grant Application	Staff processing time – 20 minutes	Staff processing time – 3 minutes
Grant Report	25% return rate	50% return rate
Tree Nursery Order Form	40% error rate	20% error rate, cut staff processing time in half

By the early 00s

- Most agencies had heard of plain language, and many had small plain language programs.
- A few agencies did plain language training.
- It was possible to find some clear US government documents.
- But the vast majority of government material was still hard to read.

So we decided we would have to

Get Congress to pass a law!

What it takes to get a law

- Get a sponsor in the House and in the Senate.
- Help the sponsors get co-sponsors.
- Get letters of support from organizations that Congressmen might care about – health groups, veterans groups, small business groups.
- Focus on opponents – to get them to change their minds. Get voters and businesses in their area to write, call, and especially visit them.

Plain Writing Act of 2010

- After 5 years of effort, in October 2010, we reached our goal.
- Congress passed, and the President signed, the Plain Writing Act.
- The Act requires federal agencies to write all material the public needs to get federal services and benefits (and to pay taxes) in plain language.

Key provisions

Covered documents

- (2) The act applies
 - (A) to any document that--
 - (i) is necessary for 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.

Definition of Plain Language

(3) The term `plain writing' means writing that is clear, concise, well-organized, and follows other best practices appropriate to the subject or field and intended audience.

We'll come back to this.

Federal Agency Responsibilities

- (1) 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;

Responsibilities 2

- (E) create and maintain a plain writing section of the agency's website as required under paragraph (2) 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 required agency reports.

Website

- (2) 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.

Writing requirement

(b) 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.

That's October 2011!

Guidance

(1) 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 agency, and may use interagency working groups to assist in developing and issuing the guidance.

Note: The Office of Management and Budget is essentially the President's staff. It has about 500 employees.

Interim guidance

- (2) Before the issuance of the final guidance, agencies may follow the guidance of--
 - (A) the writing guidelines developed by the Plain Language Action and Information Network; or
 - (B) guidance provided by the head of the agency that is consistent with the guidelines referred to in subparagraph (A).

Definition of Plain Language

- The definition in the law comes from a definition originally written by Ginny Redish in the 1990s.
- The Center for Plain Language uses this definition.

Material is in plain language if readers can

- Find what they need
- Understand what they find
- Use it to fulfill their needs

And they should be able to do this the first time they read or hear it!

Think about your audience!

- You must understand your audience's knowledge of and familiarity with a topic.
- What is plain language for one audience may not be plain language for another audience.
- The only way to be sure your material is in plain language is to test it with typical readers.

Plain Language is **not**

Any specific characteristic of writing, such as

- Organizing material with users in mind
- Using active voice
- Using pronouns
- Keeping sentences reasonably short
- Avoiding jargon and other unfamiliar words

These are all techniques that help you achieve plain language.

Plain Language is **not**

- Writing at a specific grade level.
- Most plain language experts do not support these “readability formulas.”

Where are we now?

- The Office of Management and Budget is developing guidance to implement the Act.
- OMB already issued interim guidance. They have until April to issue final guidance.

Guidance provisions

- Plain writing should be seen as an essential part of open government.
- The group of federal plain language advocates, called PLAIN, will help write the guidance.
- The agency person in charge of implementing the act should be a senior person with responsibilities and authority across the agency.

Guidance provisions - 2

- Agencies should follow PLAIN's existing Federal Plain Language Guidelines until there is permanent guidance. (See <http://www.plainlanguage.gov/howto/guidelines/bigdoc/TOC.cfm>)
- **OMB reminded agencies that**
 - Plain writing considers the needs of the audience
 - Communication between agencies and the public must consider how people process information

Guidance provisions - 3

- The website that agencies must create under the Act must inform the public of each agency's compliance with the Act and provide a way for the agency to receive and respond to public input.

What's next

- We think getting citizen feedback will be critical to implementing the Act.
- The Center will try to raise public awareness of the Act and of the agency websites where they can comment.
- If they call on us, we will try to help agencies implement the Act.

Resources

www.centerforplainlanguage.org

www.plainlanguage.gov

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