

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 946

---

## AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Plain Writing Act of  
3 2010”.

4 **SEC. 2. PURPOSE.**

5 The purpose of this Act is to improve the effective-  
6 ness and accountability of Federal agencies to the public  
7 by promoting clear Government communication that the  
8 public can understand and use.

9 **SEC. 3. DEFINITIONS.**

10 In this Act:

11 (1) **AGENCY.**—The term “agency” means an  
12 Executive agency, as defined under section 105 of  
13 title 5, United States Code.

14 (2) **COVERED DOCUMENT.**—The term “covered  
15 document”—

16 (A) means any document that—

17 (i) is relevant to obtaining any Fed-  
18 eral Government benefit or service or filing  
19 taxes;

20 (ii) provides information about any  
21 Federal Government benefit or service; or

22 (iii) explains to the public how to com-  
23 ply with a requirement the Federal Gov-  
24 ernment administers or enforces;

1 (B) includes (whether in paper or elec-  
2 tronic form) a letter, publication, form, notice,  
3 or instruction; and

4 (C) does not include a regulation.

5 (3) PLAIN WRITING.—The term “plain writing”  
6 means writing that the intended audience can read-  
7 ily understand and use because that writing is clear,  
8 concise, well-organized, and follows other best prac-  
9 tices of plain writing.

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

11 (a) PREPARATION FOR IMPLEMENTATION OF PLAIN  
12 WRITING REQUIREMENTS.—

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

16 (A) designate 1 or more senior officials  
17 within the agency to oversee the agency imple-  
18 mentation of this Act;

19 (B) communicate the requirements of this  
20 Act to the employees of the agency;

21 (C) train employees of the agency in plain  
22 writing;

23 (D) establish a process for overseeing the  
24 ongoing compliance of the agency with the re-  
25 quirements of this Act;

1 (E) create and maintain a plain writing  
2 section of the agency's website that is accessible  
3 from the homepage of the agency's website; and

4 (F) designate 1 or more agency points-of-  
5 contact to receive and respond to public input  
6 on—

7 (i) agency implementation of this Act;

8 and

9 (ii) the agency reports required under  
10 section 5.

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

13 (A) inform the public of agency compliance  
14 with the requirements of this Act; and

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

17 (i) agency implementation of this Act;

18 and

19 (ii) the agency reports required under  
20 section 5.

21 (b) REQUIREMENT TO USE PLAIN WRITING IN NEW  
22 DOCUMENTS.—Beginning not later than 1 year after the  
23 date of enactment of this Act, each agency shall use plain  
24 writing in every covered document of the agency that the  
25 agency issues or substantially revises.

1 (c) GUIDANCE.—

2 (1) IN GENERAL.—Not later than 6 months  
3 after the date of enactment of this Act, the Director  
4 of the Office of Management and Budget shall de-  
5 velop and issue guidance on implementing the re-  
6 quirements of this section. The Director may des-  
7 ignate a lead agency, and may use interagency work-  
8 ing groups to assist in developing and issuing the  
9 guidance.

10 (2) INTERIM GUIDANCE.—Before the issuance  
11 of guidance under paragraph (1), agencies may fol-  
12 low the guidance of—

13 (A) the writing guidelines developed by the  
14 Plain Language Action and Information Net-  
15 work; or

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

19 **SEC. 5. REPORTS TO CONGRESS.**

20 (a) INITIAL REPORT.—Not later than 9 months after  
21 the date of enactment of this Act, the head of each agency  
22 shall publish on the plain writing section of the agency's  
23 website a report that describes the agency plan for compli-  
24 ance with the requirements of this Act.

1 (b) ANNUAL COMPLIANCE REPORT.—Not later than  
2 18 months after the date of enactment of this Act, and  
3 annually thereafter, the head of each agency shall publish  
4 on the plain writing section of the agency’s website a re-  
5 port on agency compliance with the requirements of this  
6 Act.

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

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

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

15 **SEC. 7. BUDGETARY EFFECTS OF PAYGO LEGISLATION FOR**  
16 **THIS ACT.**

17 The budgetary effects of this Act, for the purpose of  
18 complying with the Statutory Pay-As-You-Go Act of 2010,  
19 shall be determined by reference to the latest statement  
20 titled “Budgetary Effects of PAYGO Legislation” for this  
21 Act, submitted for printing in the Congressional Record  
22 by the Chairman of the House Budget Committee, pro-

1 vided that such statement has been submitted prior to the  
2 vote on passage.

Passed the House of Representatives March 17,  
2010.

Attest:

*Clerk.*

11<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 946**

---

**AN ACT**

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.