

Suspend the Rules and Pass the Bill, H.R. 3548, with An Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

110TH CONGRESS
2^D SESSION

H. R. 3548

To enhance citizen access to Government information and services by establishing plain language as the standard style for Government documents issued to the public, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 17, 2007

Mr. BRALEY of Iowa (for himself, Mr. AKIN, Mr. BURTON of Indiana, Mr. MCGOVERN, and Mrs. BOYDA of Kansas) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

To enhance citizen access to Government information and services by establishing plain language as the standard style for Government documents issued to the public, 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 Language in
5 Government Communications Act of 2008”.

1 **SEC. 2. PURPOSE.**

2 The purpose of this Act is to improve the Federal
3 Government's effectiveness and accountability to the pub-
4 lic by promoting clear communication that the public can
5 understand and use.

6 **SEC. 3. DEFINITIONS.**

7 In this Act:

8 (1) **AGENCY.**—The term “agency” means an
9 Executive agency, as that term is defined in section
10 105 of title 5, United States Code.

11 (2) **PLAIN LANGUAGE.**—The term “plain lan-
12 guage” means language that the intended audience
13 can readily understand and use because it is clear,
14 concise, well-organized, and follows other best prac-
15 tices of plain language writing.

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

17 (a) **REQUIREMENT TO USE PLAIN LANGUAGE IN**
18 **NEW DOCUMENTS.**—Within one year after the date of the
19 enactment of this Act, each agency—

20 (1) shall use plain language in any covered doc-
21 ument of the agency issued or substantially revised
22 after the date of the enactment of this Act;

23 (2) may use plain language in any revision of
24 a covered document issued on or before such date;
25 and

1 (3) shall, when appropriate, use the English
2 language in covered documents.

3 (b) GUIDANCE.—In implementing subsection (a), an
4 agency may follow either the guidance of the Plain English
5 Handbook, published by the Securities and Exchange
6 Commission, or the Federal Plain Language Guidelines.
7 If any agency has its own plain language guidance, the
8 agency may use that guidance, as long as it is consistent
9 with the Federal Plain Language Guidelines, the Plain
10 English Handbook, published by the Securities and Ex-
11 change Commission, and the recommendations made by
12 the Comptroller General under section 5(c).

13 (c) ADDITIONAL PROVISIONS RELATING TO USE OF
14 ENGLISH LANGUAGE.—Nothing in this Act shall be con-
15 strued—

16 (1) to prohibit the use of a language other than
17 English;

18 (2) to limit the preservation or use of Native
19 Alaskan or Native American languages (as defined
20 in the Native American Languages Act);

21 (3) to disparage any language or discourage
22 any person from learning or using a language;

23 (4) to impact or affect protections regarding
24 language access; or

1 (5) to be inconsistent with the Constitution of
2 the United States.

3 (d) COVERED DOCUMENT.—In this section, the term
4 “covered document”—

5 (1) means any document that explains how to
6 obtain a benefit or service or file taxes, or that is
7 relevant to obtaining a benefit or service or filing
8 taxes; and

9 (2) includes, whether in paper or electronic
10 form, a letter, publication, form, notice, or instruc-
11 tion but does not include a regulation.

12 (e) USE OF PLAIN LANGUAGE BY AGENCIES.—Each
13 agency should, to the extent practicable and appropriate,
14 use plain language in any collection of information (as de-
15 fined in section 3502(3)(A)(i) of title 44, United States
16 Code).

17 (f) INCORPORATION OF COMPTROLLER GENERAL
18 RECOMMENDATIONS.—

19 (1) REPORTS.—

20 (A) FEDERAL AVIATION ADMINISTRA-
21 TION.—The Administrator of the Federal Avia-
22 tion Administration, acting through the Plain
23 Language Action and Information Network,
24 shall submit to the committees described in
25 paragraph (2) a report on whether the rec-

1 ommendations made by the Comptroller Gen-
2 eral in the report under section 5(c) have been
3 incorporated into the Federal Plain Language
4 Guidelines described in subsection (b), and, if
5 such recommendations have not been incor-
6 porated, an explanation of why they have not
7 been incorporated.

8 (B) SECURITIES AND EXCHANGE COMMIS-
9 SION.—The Securities and Exchange Commis-
10 sion shall submit to the committees described in
11 paragraph (2) a report on whether the rec-
12 ommendations made by the Comptroller Gen-
13 eral in the report under section 5(c) have been
14 incorporated into the Plain English Handbook
15 described in subsection (b), and, if such rec-
16 ommendations have not been incorporated, an
17 explanation of why they have not been incor-
18 porated.

19 (2) COMMITTEES.—The committees described
20 in this paragraph are the Committee on Oversight
21 and Government Reform of the House of Represent-
22 atives and the Committee on Homeland Security and
23 Governmental Affairs of the Senate.

24 (3) DEADLINE.—The reports required under
25 paragraph (1) shall be submitted within six months

1 after the issuance of the report provided by the
2 Comptroller General under section 5(c).

3 **SEC. 5. REPORTS TO CONGRESS.**

4 (a) INITIAL REPORT.—Within six months after the
5 date of the enactment of this Act, the head of each agency
6 shall submit to the Committee on Oversight and Govern-
7 ment Reform of the House of Representatives and the
8 Committee on Homeland Security and Governmental Af-
9 fairs of the Senate a report that describes how the agency
10 intends to meet the following objectives:

11 (1) Communicating the requirements of this
12 Act to agency employees.

13 (2) Training agency employees to write in plain
14 language.

15 (3) Meeting the deadline set forth in section
16 4(a).

17 (4) Ensuring ongoing compliance with the re-
18 quirements of this Act.

19 (5) Designating a senior official to be respon-
20 sible for implementing the requirements of this Act.

21 (6) Using, to the extent practicable and appro-
22 priate, plain language in regulations promulgated by
23 the agency.

24 (b) ANNUAL AND OTHER REPORTS.—

1 (1) The head of each agency shall submit to the
2 Committee on Oversight and Government Reform of
3 the House of Representatives and the Committee on
4 Homeland Security and Governmental Affairs of the
5 Senate a report on—

6 (A) compliance with this Act; and

7 (B) the agency's continued efforts to meet
8 the objectives specified in subsection (a).

9 (2) A report under this subsection shall be sub-
10 mitted—

11 (A) annually for the first two years after
12 the date of the enactment of this Act; and

13 (B) once every three years thereafter.

14 (c) EVALUATION AND REPORT BY COMPTROLLER
15 GENERAL.—Within six months after the date of the enact-
16 ment of this Act, the Comptroller General shall evaluate
17 existing guidance for agencies on writing in plain lan-
18 guage, including the guidance listed in section 4(b), and
19 provide to the Office of Management and Budget, the
20 Committee on Oversight and Government Reform of the
21 House of Representatives, and the Committee on Home-
22 land Security and Governmental Affairs of the Senate a
23 report providing recommendations on—

24 (1) plain language guidelines; and

25 (2) best practices for plain language.