

Union Calendar No. 393

109TH CONGRESS
2^D SESSION

H. R. 4809

[Report No. 109-660]

To amend the provisions of chapter 35 of title 44, United States Code, commonly referred to as the Paperwork Reduction Act, to ensure usability and clarity of information disseminated by Federal agencies, and to facilitate compliance with Federal paperwork requirements.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 28, 2006

Mrs. MILLER of Michigan (for herself and Mr. LYNCH) introduced the following bill; which was referred to the Committee on Government Reform

SEPTEMBER 14, 2006

Additional sponsors: Mr. TIBERI, Mr. AKIN, and Mr. CANNON

SEPTEMBER 14, 2006

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To amend the provisions of chapter 35 of title 44, United States Code, commonly referred to as the Paperwork Reduction Act, to ensure usability and clarity of information disseminated by Federal agencies, and to facilitate compliance with Federal paperwork requirements.

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 “Regulation in Plain
5 Language Act of 2006”.

6 **SEC. 2. 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) REGULATION.—The term “regulation”
12 means a rule, as that term is defined in section
13 551(4) of title 5, United States Code, that is issued
14 by an agency.

15 **SEC. 3. PROCEDURES FOR ENSURING USABILITY AND**
16 **CLARITY IN RULEMAKING.**

17 (a) DEFINITION OF PLAIN LANGUAGE.—Section
18 3502 of title 44, United States Code, is amended—

19 (1) by striking “and” at the end of paragraph
20 (13);

21 (2) by striking the period and inserting “; and”
22 at the end of paragraph (14); and

23 (3) by adding at the end the following new
24 paragraph:

1 “(15) the term ‘plain language’ means language
2 that is clear and readily understandable to the in-
3 tended reader and complies with the following stand-
4 ards:

5 “(A) Uses short words, sentences, and
6 paragraphs.

7 “(B) Uses active verbs.

8 “(C) Contains explanations of legal, for-
9 eign, and technical terms, unless the terms are
10 commonly understood.

11 “(D) Avoids defining terms that are com-
12 monly understood.

13 “(E) Uses personal pronouns to refer to
14 affected persons and the responsible agency if
15 helpful to improve clarity.

16 “(F) Minimizes cross-references.

17 “(G) Avoids sentences with double nega-
18 tives or exceptions to exceptions.

19 “(H) Uses tables, diagrams, pictures,
20 maps, and vertical lists to improve clarity.

21 “(I) Demonstrates logical organization.

22 “(J) Addresses separate audiences sepa-
23 rately.

24 “(K) Places general material before excep-
25 tions and specialized information.

1 “(L) Addresses processes covered by a rule
2 in chronological order.

3 “(M) Follows other best practices of plain
4 language writing.”.

5 (b) RESPONSIBILITY OF FEDERAL AGENCIES TO
6 PROMOTE PLAIN LANGUAGE.—Section 3506(d) of title
7 44, United States Code, is amended—

8 (1) by striking “and” at the end of paragraph
9 (3);

10 (2) by striking the period at the end of para-
11 graph (4) and inserting “; and”; and

12 (3) by adding at the end the following new
13 paragraph:

14 “(5) ensure that regulations are written in
15 plain, understandable language consistent with the
16 definition of ‘plain language’ in section 3502(15) of
17 this title, through—

18 “(A) designating an agency official as
19 plain language coordinator;

20 “(B) establishing a process for reviewing
21 each regulation to ensure its compliance with
22 this paragraph before publishing it in the Fed-
23 eral Register;

24 “(C) publishing guidelines to implement
25 this paragraph—

1 “(i) not later than 120 days after the
2 date of the enactment of this paragraph;

3 “(ii) after consulting with other Fed-
4 eral agencies and the Interagency Com-
5 mittee on Government Information to pro-
6 mote consistency of application between
7 agencies; and

8 “(iii) after consulting with affected
9 stakeholders;

10 “(D) training employees who write regula-
11 tions to write in plain language;

12 “(E) reporting to the Committee on Gov-
13 ernment Reform of the House of Representa-
14 tives and the Committee on Homeland Security
15 and Governmental Affairs of the Senate annu-
16 ally for the first 2 years after the date of the
17 enactment of this paragraph and once every 3
18 years thereafter on compliance with this para-
19 graph, including—

20 “(i) agency implementation of its
21 guidelines;

22 “(ii) agency actions to ensure consist-
23 ency with other Federal agency guidelines;
24 and

1 “(iii) examples of some of the changes
2 made to draft regulations in the previous
3 year to conform with this paragraph.”.

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