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# **BRIEFING FOR COUNCIL OF FEDERAL EXECUTIVE SECRETARIATS**



## Presenter

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## Objectives

This briefing will provide an update on plain writing principles and the law:

- ✓ hear how the Plain Writing Act of 2010 affects government agencies
- ✓ learn plain writing principles and techniques
- ✓ find where to get additional training
- ✓ discover the federal plain language community



## What is plain language?

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### Definition

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Plain language is a style of writing that allows readers to:

- Quickly find what they need
- Understand what they read
- Use what they read to fulfill their needs the **first** time they read or hear it.



## What is plain language?

- Help the reader **find** the information
- Help the reader **understand** the information

**Remember:** If your document doesn't do both, it's not plain language.



# What is plain language?

## Techniques

Many writing techniques allow users to quickly and easily understand what they are reading:

- reader-centered organization
- design features such as headers, tables, and bullets
- short sentences and paragraphs
- “you,” “we,” and other pronouns
- active voice
- verbs, not nouns
- consistent terms, not jargon or acronyms
- common, everyday words



## What is plain language?

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### Anticipated Benefits

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Plain language is an essential part of open government.

OMB's final guidance on the Plain Writing Act of 2010 states that creating documents using plain writing can reduce

- agency costs
- questions from the public to agency staff and time spent answering them
- resources spent on enforcement
- errors on forms and applications



## What governs plain language?

### The Plain Writing Act of 2010

According to the Plain Writing Act of 2010, all new government documents that meet the following criteria must be written in plain language by October 13, 2011:

- Documents that are necessary to get government benefits or services, or for filing taxes
- Documents that provide information about federal benefits or services
- Documents that explain to the public how to comply with a federal requirement

The legislation applies to both paper and electronic letters, publications, forms, notices, and instructions.





# What governs plain language?

## Guidelines and Documentation

### **OMB Guidance**

OMB provided final guidance on April 13, 2011.

### **The Plain Language Action and Information Network (PLAIN)**

PLAIN was founded in the mid-1990s with the goal of using plain language for all government communications. OMB guidance encourages agencies to follow PLAIN's Federal Plain Language Guidelines (available on [plainlanguage.gov](http://plainlanguage.gov)) .

### **Howto.gov**

Howto.gov, an Office of Citizen Services and Innovative Technologies (OCSIT) website, recommends using plain language on government websites and gives guidelines on that and other best practices.



## Plain Language = Customer Service

### **Executive Order 13571--Streamlining Service Delivery and Improving Customer Service**

“Government managers must learn from what is working in the private sector and apply these best practices to deliver services better, faster, and at lower cost.”

“Such best practices include increasingly popular lower-cost, self-service options accessed by the Internet or mobile phone and improved processes that deliver services faster and more responsively, reducing the overall need for customer inquiries and complaints. ”



## Online Self-Service Saves Money

### Costs per transaction

Transaction via	Cost
Face to face	~\$50, depending on type of service
Phone	~\$20
Online	> \$1

*Arizona State University, WP Carey Center for Service Excellence, for “Getting Serious about Customer Service,” Craig Newmark and Joe Doyle, April 28, 2010*



## Question

Have you ever been refused admission to the U.S., or been the subject of a deportation hearing or sought to obtain or assist others to obtain a visa, entry into the U.S., or any other U.S. immigration benefit by fraud or willful misrepresentation or other unlawful means? Have you attended a U.S. public elementary school on student (F) status or a public secondary school after November 30, 1996 without reimbursing the school?

Yes ☐ No ☐



## Organize to serve the reader

- Anticipate questions an informed reader is likely to ask
- Organize writing to answer questions in the order the reader will ask them



## Use headers

- Allow the reader to quickly find relevant information
- Increase white space on the page to break up information
- Use informative headings help the reader navigate the document



## Try question headers

- Readers have questions in mind
- Questions help readers relate to the information
- Questions help you organize the information



## How do I know if I am eligible to extend my stay in the United States?

You may apply for an extension of stay in the United States if:

- You were lawfully admitted into the United States as a nonimmigrant;
- You have not committed any act that makes you ineligible to receive an immigration benefit;
- There is no other factor that requires you to depart the United States prior to extending status (for example, a USCIS officer may determine that you should obtain a new visa prior extending your status); and
- You submit an application for an extension of stay before the expiration date on your Form I-94. (There are certain very limited circumstances under which USCIS will excuse a late submission.)





## Use lists

- Make it easy for the reader to identify all items or steps in a process
- Use numbers for steps in process, bullets for everything else
- Make items parallel
- Add blank space for easy reading
- Help the reader see how you've structured your document



## Make lists parallel

Make sure items in a list match:

- Use command voice (second person)
- Put the verb first
- Get to the point
- Make it clear what readers have to do
- Keep your bullets short



## Don't make lists too long

- Research suggests that seven items are the maximum that work well in a list
- Longer lists are hard to navigate
- Use headers within the list
- Use two or three columns



## Example: How easy is this to read?

U.S. Citizenship and Immigration Services (USCIS) is expanding its Direct Mail Program to provide that filings of Form I-800A, Application for Determination of Suitability to Adopt a Child from a Convention Country, Form I-800A Supplement 1, Listing of Adult Member of the Household, Supplement 2, Consent to Disclose Information, Supplement 3, Request for Action on Approved Form I-800A, Form I-800, Petition to Classify Convention Adoptee as an Immediate Relative, Supplement 1, Consent to Disclose Information, for the Hague Adoption Convention be filed at a designated Chicago, Illinois lockbox facility for initial processing.



## Revision in list format

U.S. Citizenship and Immigration Services (USCIS) is expanding its Direct Mail Program to include the following forms:

- **Form I-800A, Application for Determination of Suitability to Adopt a Child from a Convention Country**
- **Form I-800A Supplement 1, Listing of Adult Member of the Household**
- **Form I-800A Supplement 2, Consent to Disclose Information**
- **Form I-800A Supplement 3, Request for Action on Approved Form I-800A**
- **Form I-800, Petition to Classify Convention Adoptee as an Immediate Relative**
- **The Form I-800 Supplement 1, Consent to Disclose Information.**

Mail these forms to the Chicago Lockbox facility.



## Revision in Table Format

U.S. Citizenship and Immigration Services (USCIS) is expanding its Direct Mail Program to include the following forms:

Form Number	Form Name
1-800A	Application for Determination of Suitability to Adopt a Child from a Convention Country
1-800A Supplement 1	Listing of Adult Member of the Household
1-800A Supplement 2	Consent to Disclose Information
1-800A Supplement 3	Request for Action on Approved Form 1-800A
1-800	Petition to Classify Convention Adoptee as an Immediate Relative
1-800 Supplement 1	Consent to Disclose Information



## Why use tables?

### Tables

- save words
- make it easy to locate specific provisions
- make it easy to take in complex material at a glance
- make your logic and structure clear



## **Sending expense forms**

We must receive your completed expense form on or before the 15th day of the second month following the month you are reporting if you do not submit your form electronically, or the 25th day of the second month following the month you are reporting if you submit your form electronically.





## Answer: sending expense forms

If you send your form	Then we must receive it by
electronically	The 25th day of the second...
paper or fax	The 15th day of the second...



## Keep things short

- No one wants to read material like the next slide.



## Executive Order 12988

With respect to the review of existing regulations and the promulgation of new regulations, section 3(a) of Executive Order 12988, “Civil Justice Reform,” 61 FR 4729 (February 7, 1996), imposes on Executive agencies the general duty to adhere to the following requirements: (1) Eliminate drafting errors and ambiguity; (2) write regulations to minimize litigation; and (3) provide a clear legal standard for affected conduct rather than a general standard and promote simplification and burden reduction. With regard to the review required by section 3(a), section 3(b) of Executive Order 12988 specifically requires that Executive agencies make every reasonable effort to ensure that the regulation: (1) Clearly specifies the preemptive effect, if any; (2) clearly specifies any effect on existing Federal law or regulation; (3) provides a clear legal standard for affected conduct while promoting simplification and burden reduction; (4) specifies the retroactive effect, if any; (5) adequately defines key terms; and (6) addresses other important issues affecting clarity and general draftsmanship under any guidelines issued by the Attorney General. Section 3(c) of Executive Order 12988 requires Executive agencies to review regulations in light of applicable standards in section 3(a) and section 3(b) to determine whether they are met or it is unreasonable to meet one or more of them. DHS has completed the required review and determined that, to the extent permitted by law, this final rule meets the relevant standards of Executive Order 12988.



## Executive Order 12988 (Revised)

- This rule meets the requirements found in sections 3(a) and 3(b)(2) of Executive Order 12988.



## Link to existing content

- Don't repeat content that belongs to someone else.
- You can quote, but don't repeat it on your page.
- If the original changes, and you don't update your page, then you're responsible for outdated information.
- So link, don't copy.



## Use short paragraphs

- Limit a paragraph to one subject or step
- Smaller “bites” of info are easier to digest
- Aim for @7 lines



## Use short sentences

- Treat only one subject in each sentence
- Avoid complexity and confusion
- Aim for @20 words per sentence



## Use pronouns

Your reader is a person, not an entity.

Use pronouns to:

- speak directly to readers
- make your writing relevant to readers
- require less work from your readers
- eliminate words





## Use pronouns

- Use “***we***” to refer to your agency
- Use “***you***” for the reader
- If you are using Q&A format, use “***I***” in the questions and “***you***” in the answer



## Examples from GSA

### Before:

What can be expected upon concluding the SOW review is a short turn-around time, determination on whether the Small Business GWAC Center deems the requirement a good fit for the VETS GWAC, and which Functional Area is appropriate based on the information that has been presented. The OCO will still be required to complete acquisition planning, work with legal and technical advisors if appropriate or required, conduct the procurement, perform due diligence, etc.

<http://www.gsa.gov/portal/content/102475>



## Examples from GSA

**After:**

What you can expect:

- a short turn-around time
- yes-or-no decision on whether the Small Business GWAC Center deems the requirement a good fit for the VETS GWAC
- decision on which Functional Area is appropriate

You will still need to

- complete acquisition planning
- work with legal and technical advisors if appropriate or required
- conduct the procurement
- perform due diligence
- and other necessary steps.

<http://www.gsa.gov/portal/content/102475>



## When pronouns don't work

- If you're addressing more than one audience
- If you refer readers to more than one office within your organization



## Use active, not passive voice

- Active voice is more clear, concise and direct
- Passive is a characteristic of bureaucratese (not plain)
- “Mistakes were made.”



## What is passive voice?

- The person doing the action usually follows the verb.

***Example:*** Arlene **was promoted** by her boss.

- The verb has two parts: The verb “to be” plus the past participle of another verb.

***Example:*** The house **will be leased** by Fred.



## Why avoid passive voice?

### Passive Voice

Can disguise who does what:

*The memo was written yesterday.*

### Active Voice

Makes it clear who does what:

*The director wrote the memo yesterday.*



## Avoid hidden verbs

Hidden verbs are verbs disguised as nouns.

They are generally longer than their true verb forms.





## Rescuing hidden verbs

Instead of this ...

- Conduct an analysis
- Present a report
- Do an assessment
- Provide assistance
- Came to the conclusion that

Use this!

- Analyze
- Report
- Assess
- Help
- Concluded



## Use consistent terms

- Avoid “***Shall.***” It is ambiguous and is not used in everyday speech
- Use “***must***” for an obligation
- Use “***must not***” for a prohibition
- Use “***may***” for a discretionary action
- Use “***should***” for a recommendation



## Bryan A. Garner on “Shall”

In just about every jurisdiction, courts have held that “shall” can mean not just “must” and “may,” but also “will” and “is.” The [U.S. Supreme] Court has [in various decisions]:

- Held that a legislative amendment from “shall” to “may” had no substantive effect
- Held that “shall” means “must” for existing rights, but that it need not be construed as mandatory when a new right is created
- Acknowledged that, “legal writers sometimes misuse ‘shall’ to mean ‘should,’ ‘will,’ or even ‘may.’ ”



## Don't sound so bureaucratic!

- Limit jargon and acronyms
- Use contractions
- Use everyday words
- Place words effectively



## Two kinds of jargon

- Necessary technical terms

Example: *Habeas corpus, plaintiff*

- Obscure and often pretentious language marked by circumlocutions and long words

Example: *Hereby, Wherefore, ab initio*



## Limiting acronyms and abbreviations

- Use “we” for the agency
- Do not use “The GSA”
- Don’t use acronyms/abbreviations for infrequent phrases
- Try another style (the Council)
- Make them pronounceable (STARS, TRACON, FSDO)





## Use contractions

- Contractions are grammatical , save space, and show relationships:
  - The mission of the agency = the agency's mission
  - The results of the study = the study's results
  - The goal of the marketing campaign – the marketing campaign's goal





## Use everyday words

Instead of these ...

- anticipate
- attempt
- commence
- demonstrate
- implement
- in the event that
- submit
- terminate

Use these!

- expect
- try
- begin, start
- show, prove
- start
- if
- send, give
- end, cancel



## Place words carefully

- Keep subjects and objects close to their verbs.
- Put conditionals such as "only" or "always" next to words they modify.
- Don't misplace modifiers.
- Put exceptions and long conditions after the main clause, not before or in the middle.



## Modifier-o-rama

- John loves Mary.
- Only John loves Mary.
- John only loves Mary.
- John loves only Mary.
- John loves Mary only.



## Word placement makes a difference

- Yesterday a mad dog bit five men and women in the south end.
- This rule proposes the spring/summer subsistence harvest regulations in Alaska for migratory birds that expire on August 31, 2003.



## Illustrative plain writing examples for ITS Websites

### Example 1: SATCOM-II Overview

#### **Before:**

In structuring the SATCOM-II acquisition, the government defined and included all services that are under the GSA Satellite Services Program will also be available under SATCOM-II. currently available under the GSA Satellite Services Program. The realization of this goal will facilitate a smooth transition from the existing satellite contract(s) to the SATCOM-II contract.

Example 1: <http://www.gsa.gov/portal/category/25320>.



## After: SATCOM-II Overview

### After:

To transition smoothly, all services that were available under the GSA Satellite Services Program will also be available under SATCOM-II



## Example 2: GWAC Overview

### **Before:**

Protests are not allowed on task orders under \$10 million except on the grounds that the order increases the scope, period of performance, or maximum value of the GWAC.



## Example 2: GWAC Overview

### After:

You may not protest task orders under \$10 million unless the order increases:

- the scope,
- the period of performance,
- the maximum value of the GWAC.





## Examples from GSA

### Category 1 – Equipment & Services

#### Before:

Typical equipment and associated services include multiplexers, video codecs, voice mail systems, channel service units, concentrators, routers, switches, gateways, firewalls, repeaters, virtual private network equipment, site preparation, power systems, alarms, microwave systems, wiring, cabling and cross connects. Services in this category are limited to those that would specifically support the equipment (e.g., installation and ongoing maintenance).

<http://www.gsa.gov/portal/content/104356> (Connections)



## Examples from GSA

### Category 1 – Equipment & Services

#### After:

Typical equipment and associated services include

- multiplexers
- video codecs
- voice mail systems
- channel service units
- concentrators
- routers
- switches
- gateways
- firewalls
- repeaters
- virtual private network equipment
- site preparation
- power systems
- alarms
- microwave systems
- wiring
- cabling
- cross connects

Services in this category are limited to those that would specifically support the equipment (e.g., installation and ongoing maintenance).

<http://www.gsa.gov/portal/content/104356>



## Action items

- Review your agency's Plain Writing Act page
- Work on key content first—public-facing documents
- Read and apply the [federal plain language guidelines](#)
- Join the [Plain Language Action and Information Network \(PLAIN\)](#)



## Additional resources

### Federal government resources

- Federal plain language guidelines at [plainlanguage.gov](http://plainlanguage.gov)
- [Howto.gov](http://Howto.gov) – GSA website on best practices
- National Institutes of Health [plain language course](http://plainlanguage.gov)
- Plain Language Action and Information Network (PLAIN) @ [www.plainlanguage.gov](http://www.plainlanguage.gov)
- ***Letting Go of the Words: Writing Web Content that Works***, by Janice (Ginny) Redish



## Additional Resources

Not-for-profit, non-federal

- [Center for Plain Language](#)
- [Clarity International](#) – legal language for lawyers
- [Plain Language Association International](#)



## Appendix

### Plain Language References

- Plain Language website: [plainlanguage.gov](http://plainlanguage.gov)
- Plain Language page on GSA.gov: <http://www.gsa.gov/plainlanguage>
- Web content best practices: [howto.gov/web-content](http://howto.gov/web-content)
- “[The Plain Writing Act of 2010](#),” H.R. 946.
- “Preliminary Guidance for the Plain Writing Act of 2010,” M-11-05, Office of Management and Budget.
- “Final Guidance on Implementing the Plain Writing Act of 2010,” M-11-15, Office of Management and Budget