

Three hundred and forty-eight quarters ago, it was actualized by our paternal ancestors (PA) on one of the main geoethnic topographies (reckoned as seven in number, less common methods of enumeration notwithstanding), a novel political structure, subverting the dominant paradigms of the age, including a culture and shared set of values, one of the foremost of which is the concept including, but not limited to, freedom from control, interference, obligation, restriction, and hampering conditions, according to choice and unilaterally and unambiguously committed to the initiative that all people of the male gender are created like or alike in value.

Now a great bilateral conflict between political factions or regions within a larger region, also referred to as a nation-state, of the aforementioned geo-ethnic topography is being engaged in, and the political structure (PS) referred to above is being tested and will be impacted, along with the concept that any PS that was created as such, and that resulted in such a paradigm shift, can perdure. A contested space within that conflict over political ideals (PI) is where we meet. As a final means of commemoration, a national designated zone of interment and/or entombment, for those who, with their consent and of their own free will and absent any inducement or coercion, were exanimated here to preserve the new political paradigm is the reason for the aforementioned designation. This will be done as it is a response in accordance with the necessity to do so, as sanctioned by Congress and codified in the U.S. Code and the *Federal Register*.

However, this geographic location (GL) cannot be duly designated or otherwise held in the esteem usually associated with religious or cultic practice, nor can it be dedicated in a conceptual manner. It has been established as an area that is symbolic of our core values by the struggles and fighting, in a literal sense, of the no longer extant and living men who have discharged their martial duties to the state. It will not be recorded in our meeting minutes nor archived in our globally accessible shared drive the verbatim utterances expressed at this GL, but the actions of the no longer extant and living men referred to above will be remembered and recognized as appropriate by our stakeholders and our user community. Finishing the unfinished actions promulgated by those who fought is the action item to be undertaken by those who yet remain in an animated ontological state. At the end of the day, it is incumbent on us to initiate plans for the timely completion of the high-priority current FY projects that remain:

- Increased devotion to the cause for which the depopulated/no longer extant discharged their martial duties;
- Resolution that the depopulated/no longer extant have not been subject to depopulation without advancing our mission and vision;
- Licensure to act in accordance with one's own volition to the greatest extent possible shall be established in this political entity under the direction of what some members of various faith communities would refer to as a deity; and
- Conceptual agreement that a political entity based on a representation that is comprised of those governed and that operates on their behalf will persist on the celestial entity that is the third such in proximity to the sun and referred to in common speech as the planet earth.

# FEDERAL LAW AND ITS REQUIREMENTS

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PLAIN LANGUAGE AND THE IMPACT OF LANGUAGE CHOICES



# ***THE FEDERAL LAW AND ITS REQUIREMENTS AND THE IMPACT OF LANGUAGE CHOICES***

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- ❖ Introduction
- ❖ History of Federal Plain Language
- ❖ Federal Requirements and Definition
- ❖ Using Plain Language = Making Language Choices
- ❖ Closing Remarks and Questions

# INTRODUCTION

## MIRIAM E VINCENT – GULC '97

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- OFR 1996; 1999 – 2001; 2010 - present
- SSA's OHA/ODAR 2001 – 2010
- PLAIN webmaster 2004 – present
- PLAIN trainer 2010 – present
- Revision of OFR's Document Drafting Handbook 1996
- Redesign of plainlanguage.gov 2005 and 2018
- CDC Train-the-trainer; NARA plain language training; SSA plain language training
- Attorney-Adviser
- PLAIN Executive Committee member
- Co-author Clarity Journal article
- Presenter/moderator Clarity and PLAIN International conferences 2005 – 2013
- Fmr Board Member, PLAIN International

# HISTORY OF FEDERAL PLAIN LANGUAGE

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- FDR and Gobbledygook – memo from Maury Maverick, Chairman and General Manager of [Smaller War Plants Corporation](#) in March 24, 1944
- Clinton-Gore Administration – NPR, PEN, and the no-Gobbledygook awards
  - E.O. 12866
  - E.O. 12988
  - Presidential Memorandum of June 1, 1998
- Obama Administration
  - Plain Writing Act of 2010
  - E.O. 13563
  - M-11-15

# FDR ANECDOTE

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During WWII, FDR saw the following regulation:

- Such preparations shall be made as will completely obscure all Federal and non-Federal buildings occupied by the Federal Government during an air raid for any period of time from visibility by reason of internal or external illumination. Such obscuration may be obtained either by black-out construction or by termination of the illumination.
- In buildings where they have to keep the work going, put something over the windows, and in buildings where they can let the work stop for a while, turn out the lights.

SMALLER WAR PLANE'S CORPORATION  
Washington, D.C.

TO: Everybody in Smaller War Plane's Corporation      March 24, 1944  
FROM: Maury Maverick, Chairman & Gen. Manager  
SUBJECT: Lengthy Memoranda and Gobbledygook Language.  
Be short and use Plain English.

Memoranda should be as short as clearness will allow. The Naval officer who wired "Sighted Sub - Sank Same" told the whole story.

Put the real subject matter - the point - and even the conclusion, in the opening paragraph and the whole story on one page. Period! If a lengthy explanation, statistical matter, or such is necessary, use attachments.

Stay off gobbledygook language. It only fouls people up. For the Lord's sake, be short and say what you're talking about. Let's stop "pointing-up" programs, "finalizing" contracts that "stem from" district, regional or Washington "levels". There are no "levels" - local government is as high as Washington Government. No more patterns, effectuating, dynamics. Anyone using the words "activation" or "implementation" will be shot.

# CURRENT FEDERAL PLAIN LANGUAGE

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- Clinton-Gore Administration – NPR, PEN, and the no-Gobbledygook awards
  - [E.O. 12866](#) Regulatory Planning and Review (1993)
  - [E.O. 12988](#) Civil Justice Reform (1996)
- Obama Administration
  - [Public Law 111 – 274](#) Plain Writing Act of 2010
  - [E.O. 13563](#) Improving Regulation and Regulatory Review
  - [M-11-15](#) Final Guidance on Implementing the Plain Writing Act of 2010



# FEDERAL LEGAL REQUIREMENTS

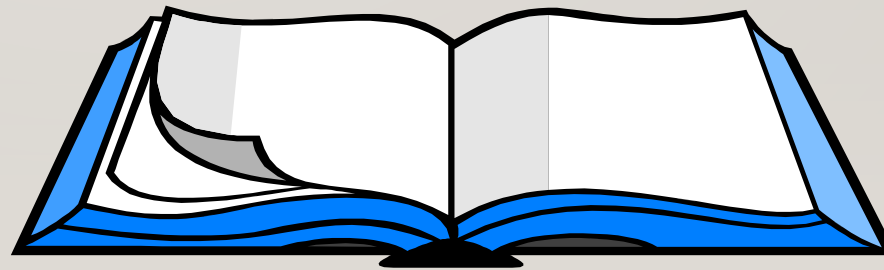
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- **E.O. 12866** requires that regulations must be “simple and easy to understand, with the goal of minimizing uncertainty and litigation...” (Sec. 1, Par. (b)(12))
- **E.O. 12988** requires that each regulation specify its effect “in clear language” (Sec. 3 Par. (b)(2))
- **Plain Writing Act of 2010**, requires that federal agencies use clear communication that the public can understand.
- **E.O. 13563** requires that regulations be accessible, consistent, written in plain language, and easy to understand

# DEFINITION OF PLAIN LANGUAGE: PART I

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Communication that your audience or readers can understand the **first time** they hear or read it.



# DEFINITION OF PLAIN LANGUAGE: PART II

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Clear language means users:

- Find what they need
- Understand what they find
- Use what they find to meet their needs



## WHY USE PLAIN LANGUAGE?

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**To make your message  
stand out**

# EVEN EXPERTS LIKE IT SIMPLE

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- So you're writing for brain surgeons?
  - **Sure, they can understand the medical jargon and complex sentences when they aren't busy...**
  - **But how about in the middle of SURGERY?**
- Studies found attorneys take 2x as long to translate legalese. No wonder they charge clients by the hour.

# WASHINGTON STATE

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- ❖ Dept. of Licensing (drivers' licenses) rewrote a notice telling people their license had been suspended.
- ❖ Hotline busy signals declined 95%, and each day 850 more people reached the hotline, instead of getting a busy signal.
- ❖ 3 FTEs were transferred to help customers in other ways.

# WHAT ARE THE MAIN ELEMENTS OF PLAIN LANGUAGE?

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- Logical organization
  - Understand your message
  - Know your audience
  - Start with your main (most important) point
  - Headings\*
- Word choice
  - The active voice
  - Common, everyday words
  - Short sentences
  - “You” and other pronouns
  - Consistency
- Presentation
  - Lists and tables
  - Easy-to-read design features

# UNDERSTAND WHY YOU'RE WRITING

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- ❖ What am I writing?
- ❖ Who am I writing for?
- ❖ What is my purpose?
- ❖ Why do I want them to read this?
- ❖ What do they need?
- ❖ What do they already know?





# KEEP IT SHORT

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There is no escaping the fact that it is considered very important to note that a number of various available applicable studies ipso facto have generally identified the fact that additional appropriate nocturnal employment could usually keep juvenile adolescents off thoroughfares during the night hours, including but not limited to the time prior to midnight on weeknights and/or 2 a.m. on weekends.

**62 words**

# KEEP IT SHORT

---

More night jobs would keep kids off the streets.

9 words

**“The most valuable of all talents is never using two words when one will do.”**

**~Thomas Jefferson**



# PULLING WORDS INTO SENTENCES

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When writing sentences, remember to:

- ❖ Cut out redundancies;
- ❖ Reduce clauses to phrases and phrases to words;
- ❖ Leave out unnecessary words;
- ❖ Eliminate clichés and euphemisms;
- ❖ Use concrete rather than vague language – say what you mean;
- ❖ Pay attention to word order.

# BRYAN A. GARNER ON “SHALL”

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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.’ ”

# AVOID LEGALESE:

MAIN POINT FIRST; EVERY DAY WORDS; ACTIVE VOICE; JARGON; “YOU”; SHALL

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Instead of:

- Pursuant to 8 CFR part 3, an appeal shall lie from a decision of an immigration judge to the Board of Immigration Appeals, except that no appeal shall lie from an order of removal entered in absentia. 37 words

Use:

- You may appeal a decision of an immigration judge to the Board of Immigration Appeals, unless the judge ordered your removal when you were not physically present at the hearing. (See 8 CFR part 3.) 30 words (35 words)



# EXAMPLE

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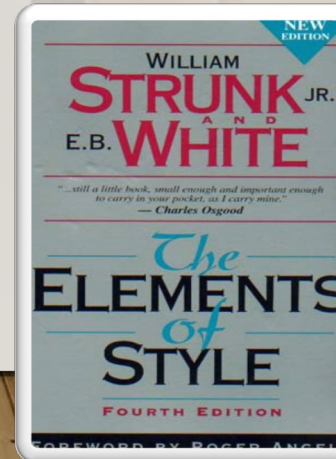
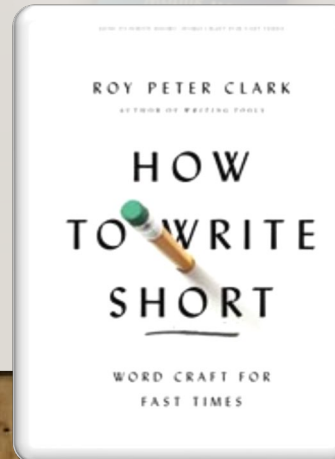
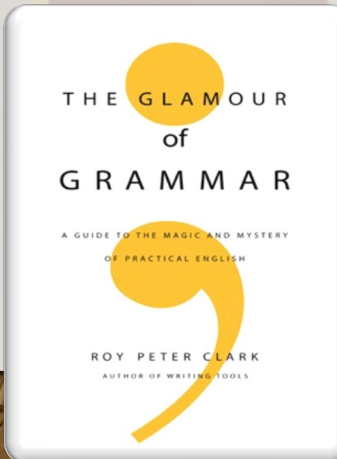
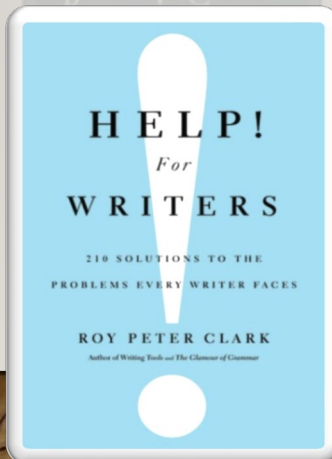
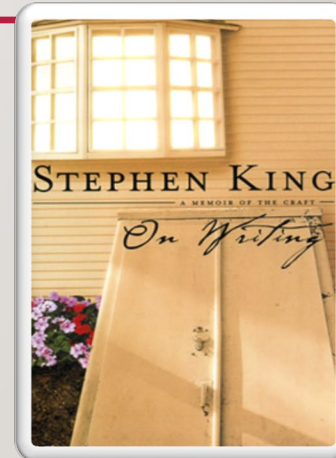
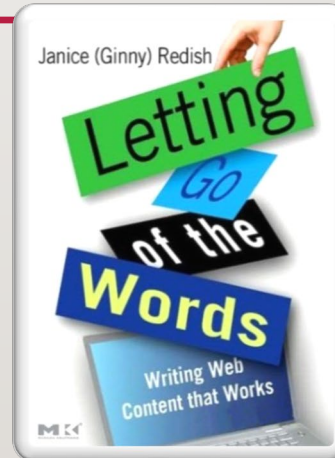
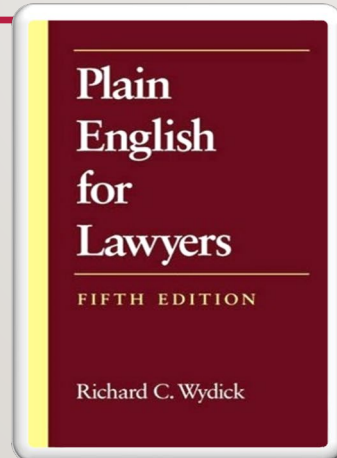
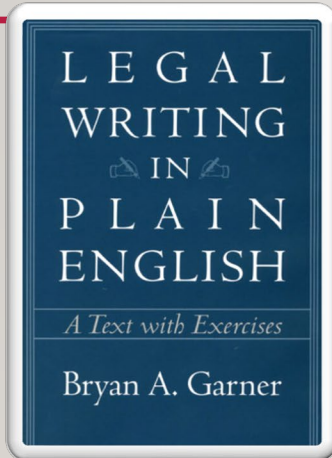
- Before

Utilize the power on/off interface, located on the forward-face of the Advanced Digital Data Storage System (ADDSS) when installed in the standard configuration (see Appendix A), to impact the operational status of the ADDSS System.

- After

Press the power button to start the computer.

# GOOD READS





# PLAIN RESOURCES

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- ListServ (<https://digital.gov/communities/plain-language/>)
- PLAIN monthly meetings—2<sup>nd</sup> Wednesday of each month, 2 to 3 p.m. (currently all virtual)
- Website ([www.plainlanguage.gov](http://www.plainlanguage.gov))
  - Training ([www.plainlanguage.gov/training/create-your-own-class/](http://www.plainlanguage.gov/training/create-your-own-class/))
  - Federal Plain Language Guidelines ([www.plainlanguage.gov/guidelines/](http://www.plainlanguage.gov/guidelines/))
- Email ([info@plainlanguage.gov](mailto:info@plainlanguage.gov))



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# ACTIVE VOICE VIDEO

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<https://www.youtube.com/watch?v=IYR5Ib0IcO4>