

PLAIN WRITING ACT ANNUAL COMPLIANCE REPORT FOR 2014

In the past year, the Department's disparate components have again continued their efforts to implement the requirements of the Act by writing and revising documents intended for the public to be more clear, concise, meaningful and well-organized.

The Department's law enforcement bureaus and offices, boards and divisions vary considerably in their missions and structures, and therefore the Department has continued to rely on each component's leadership to determine which of their documents comply with the Act, or need to be revised, as well as which employees need Plain Writing training.

Last year we created a new email address [DOJPlainWriting@usdoj.gov] so that members of the public could easily reach us with any questions or concerns; however, to date, no messages have been received from the public. The following new contacts are being added to the list of Plain Writing contacts within individual components posted on our Plain Writing home page:

Civil Division: Kenneth L. Zwick, Ken.Zwick@usdoj.gov

Community Oriented Policing Services (COPS): Beverly Alford, Beverly.Alford@usdoj.gov

Office of the Inspector General (OIG): Leslie Albin, leslie.albin@usdoj.gov

Office of Privacy and Civil Liberties: Alexander Wood, Alexander.W.Wood@usdoj.gov

Office of the Solicitor General: Valerie Hall Yancey, Valerie.yancey@usdoj.gov

In a continued reflection of the diverse and decentralized process being employed by the Department in implementing the Act, we list here Plain Writing activities of a number of components.

Antitrust Division

FY2013 Accomplishments

Progress on Internal Division Documents

To help promote a culture of Plain Writing, we are continuing to review frequently used Division Directives, memos and announcements for conversion to a plain language format. The following Division documents have been revised and posted internally to familiarize staff with the plain language form of writing:

Examples of 2013 Intranet announcements in Plain Language
Procedures for Joining the Voluntary Leave Bank Program
Best Places to Work Results
Urgent System Messages
Computer Tips of the Week
Use or Lose Leave Instructions
Federal Benefits Open Season

Progress on Internet Website Compliance

The following public documents that are widely used are continuously reviewed and adjusted with updates, as needed, to a plain language format:

- 1) "Antitrust Laws and You" :
<http://www.justice.gov/atr/about/antitrust-laws.html>
- 2) Antitrust Enforcement and the Consumer "brochure":
http://www.justice.gov/atr/public/div_stats/276198.pdf
- 3) "Reporting Antitrust Concerns":
<http://www.justice.gov/atr/contact/newcase.html>
- 4) Business Review Documents:
<http://www.justice.gov/atr/public/busreview/276833.pdf>

Division Staff Training

The Division will identify and provide training on Plain Language principles and practices in FY2014.

Community Oriented Policing Services (COPS)

COPS' point of contact for Plain Writing, Beverly Alford, Special Project Manager, Professional Development, adds her name to the list of component contacts.

Since last year, all staff members were required to take the Plain Writing course offered on the Department's training website, LearnDOJ. Future plans include asking all supervisors and managers to encourage review of the Plain Writing resource information as a matter of practice. Additionally, COPS' contact plans to take advantage of training offered by www.plainlanguage.gov

Community Relations Service (CRS)

All CRS documents provide information on the types of services offered to federal, state and local governments as well as community organizations. The services are free, and CRS provides them directly to the various entities. Generally, CRS staff members are on-site to explain our services directly to members of the public. All of our documents are written in Plain Language and we will continue to ensure that our documents are written clearly and easily to educate the public about our services.

Our employees work with community members from different races, ethnicities, colors, using different languages, and from different backgrounds. Therefore, our conciliators are trained to deliver our services accurately and professionally, using Plain Language so that all community members clearly understand our services.

Civil Division

The overwhelming majority of the Civil Division's activities are litigation-related and do not result in written products directed to the general public. Civil Division staff has been trained in Plain Writing, and documents we produce are already written in plain language.

In 2013, the Civil Division required employees subject to the Plain Language training requirement to complete the online, interactive Skillsoft module on learnDOJ called "Business Writing: How to Write Clearly and Concisely."

This training was completed by 96 employees, which included senior managers as well as those responsible for the aspects of the Civil Division's operations that involve information distributed to the public: the Civil Division's internet page, employment opportunity postings, the September 11th Victim Compensation Program, the Radiation Exposure Compensation Program, responses to citizen inquiries and publications intended for the general public.

Civil Rights Division

The Civil Rights Division offers training in professional writing, including Plain Writing principles, as part of our attorney orientation program.

Foreign Claims Settlement Commission

The Commission does not routinely generate any documents that would qualify as a document covered within the meaning of the statute. The Commission does issue claim forms and instructions that it makes available to the public only when it has the authority to administer a claims program. The Commission is currently adjudicating claims under three programs: Claims Against Albania, Claims Against Iraq, and Claims Against Libya.

The Albanian program continues as an ongoing program and does not have a deadline. The forms associated with this program were approved by OMB under the Paperwork Reduction Act many years ago and cannot be changed without going through the PWRA process again. Due to the fact that the Commission has received fewer than ten claims on a yearly basis, a renewal of the form is not required.

The Commission has recently obtained approval for claim forms as part of its Iraq and Libya Claims Programs. Each of these forms was drafted in line with Plain Writing principles.

Office of the Chief Information Officer (OCIO)

JMD/OCIO supports the Plain Writing Act in the following ways via our management of the Department's public website and intranet:

Maintain the Plain Writing section on the Open Government site - <http://www.justice.gov/open/plainlanguage.html>

Include Plain Writing as one of the elements in the Quarterly Web Certification required of all components (10th item under Content Requirements)

Have a slide deck on Plain Writing available on DOJNet as a training resource - <http://dojnet.doj.gov/webdevelopment/summaries/plain-doj-030911.pdf>

In addition, OCIO includes the Plain Writing requirements in IT policy and guidance documents that we develop.

Drug Enforcement Administration (DEA)

DEA's Office of Acquisition and Relocation Management (FA) teamed with DEA's Office of Congressional and Public Affairs to unveil a newly-designed public website www.DEA.gov with enhanced graphics, intuitive links and writings that are "clear, concise and well-organized". Specifically, the "***Doing Business with DEA***" section of the DEA.gov website communicates DEA's requirements for supplies and services with clarity and transparency. The website enables the user to successfully navigate the site in order to locate forms and documents required to contract with the government. The website received a thorough and rigorous review by several DEA organizations, in order to ensure that all DEA information was transparent and easily accessible.

From the Office of Diversion Control (OD), the following documents covered by the Plain Writing Act are in compliance and currently available on DEA's Diversion website, www.deadiversion.usdoj.gov :

- Chemical Handler's Manual (recently revised)
- Pharmacist's Manual
- Practitioner's Manual
- Narcotic Treatment Programs/Best Practice Guidelines
- Security Outline of the Controlled Substances Act of 1970

There are numerous informational brochures posted on the above website that are also compliant with the Act.

The documents covered by the Plain Writing Act within the Asset Forfeiture Section (OMA) were written in plain language by the attorneys in DEA's Office of Chief Counsel. OMA regularly meets with senior forfeiture attorneys to assess and assure that these and other documents remain in compliance with the Plain Writing Act.

FA has implemented formal Contract Review Board procedures for proposed contract actions. DEA's acquisition personnel, especially Contract Specialists, receive personal editorial assistance and additional guidance throughout the Contract Review Board process. All related contract documentation is reviewed for clarity and accuracy prior to being issued to the public. This includes a review of: informational content with program office experts; proper grammatical construction; and document formatting and organization. The guidelines of the Plain Writing Act provide invaluable assistance in the formation of federal government solicitations and contracts, resulting in less ambiguity and therefore better agreements.

Procedures for tracking covered docs: OD continues to utilize a database entitled 'Spin Business Framework Correspondent Management' (SBF-CM) to track completed manuals and brochures throughout the vetting and approval process. All Plain Language Asset Forfeiture documents are identified by DEA's Asset Identification and Case Numbers which are tracked through the Department of Justice Consolidated Asset Tracking System (CATS).

Training: During FA's Contract Review Board training, conducted in the fall of 2013, the importance of proper grammatical construction in the formation of acquisition guidance was highlighted. Contracting Officers, Contracting Specialists, Procurement Analysts and Administrative Support Staff attended this training. No plain language training was offered to OM staff members in 2013 because no new documents were revised or created during this time frame. However, when revisions to asset forfeiture documents are implemented, all specialists and analysts within the group will immediately be provided training and written guidance by senior staff.

Office of Attorney Recruitment and Management

We believe our documents (electronic and paper copy) remain in compliance with the Plain Writing Act, in that they are concise, simple, and understandable by non-specialists. In the past year, we did not have any revisions to make to any of our

documents, nor did we have any new training (although we did review some of the materials previously provided).

Office of the Inspector General (OIG)

For vacancy announcements, the OIG is now using templates JMD developed under Plain Writing Act guidelines.

For other types of written material going to the public, such as reports, testimony, and letters, the OIG's Style Guide specifies the use of plain and concise language. Almost all of those documents are reviewed by OIG writer-editors before they are issued. The writer-editors have been trained to use Plain Language to the fullest extent possible, given the sometimes technical and legal nature of the OIG's work.

Three of our five divisions now use items referring to Plain Language in position descriptions or personnel performance goals, and one has included a plain language provision in its strategic plan.

We recommend reviewing performance measures other federal agencies have established. Ask the Plain Language Action and Information Network (www.plainlanguage.gov) to provide model measures and to consult on the development of measures for DOJ and its components. Consider also involving someone with expertise in using Plain Language for legal writing, like Cooley's Joseph Kimble, to advise both on developing measures and on implementing them.

New staff who contribute to OIG reports and existing staff who find writing a particular challenge have been learning about Plain Language in courses like the Council of the Inspectors General on Integrity and Efficiency's (CIGIE's) Business Writing Fundamentals and Writing Effective Reports.

The OIG also includes items from time to time in a biweekly employee bulletin to raise awareness of the *Plain Writing Act* and to provide related tools and tips.

Office of Justice Programs (OJP)

OJP has trained all OJP Public Affairs specialists and Office of Communications staff on Plain Language, so that all external documents are written in accordance with Plain Language guidelines. In addition, the Office of the General Counsel staff has been trained on Plain Language and has been using its principles to review and revise external documents that reach OJP's stakeholders, such as the Financial Guide for grant applicants.

All external releases are reviewed by the Office of Communications and the Office of the General Counsel.

During the course of the past year, OJP has made information and training opportunities on the Plain Language Act available to all of our employees, including: advertising training opportunities sponsored by the Center for Plain Language; and promoting the use of the Plain Language training available through LearnDOJ.

Office of Legislative Affairs (OLA)

OLA does not produce any specific documents covered by the Plain Writing Act (we typically play a role in disseminating, but not creating, such documents when appropriate).

We have not offered any Plain Language Act training in the past year. However, we have reviewed the Act, and formally made available to OLA personnel (a) the Federal Plain Language Guidelines; and (b) the link to the Department's Plain Writing webpage.

In addition, we have let our staff know about the availability of training resources in this area. We have directed the people on our team to consult these materials, and to continue to be conscious of the clarity, conciseness and organization of their writing.

Office of Privacy and Civil Liberties (OPCL)

The following OPCL documents are covered by the Plain Writing Act:

- a. Portions of Privacy Act System of Records Notices (published in the Federal Register) that provide information regarding how individuals may obtain access to, and amendment of, records contained in the system; and
- b. Certain correspondence and email in response to Privacy Act amendment appeals and public inquiries, when the response requires that we provide additional procedures or steps that the appellant or inquirer may wish to take;

These documents have consistently been prepared with Plain Language to ensure clear communication to the intended audience and recipients. A thorough review process is undertaken by OPCL to ensure that such documents are written in clear, concise, well-organized and consistent language.

In addition, copies of SORNs are placed on OCPL's website.

OPCL employees are encouraged to write documents cited above in clear and concise fashion. In addition, OPCL employees are encouraged to take advantage of Plain Writing Act training offered by the Department.

Office of Professional Responsibility (OPR)

OPR has reviewed its documents that fall under the requirements of the Act. Most of OPR's written products are not intended for public distribution and, therefore, are not covered by the Act. OPR's website, annual reports, and letters to the public, however, do fall under the Act's requirements. OPR reviewed its website and determined that its website complies with the Act. The website clearly describes how a member of the public can file a complaint about a Department attorney and provides information in Plain Language about the OPR process. OPR reviewed its annual reports and determined the reports also comply with the Act. Letters to individual members of the public similarly comply with the Act.

For our small office, we believe that an effective performance measure would be public complaints about the clarity of OPR's written work.

Every new employee is given a copy of the Federal Plain Writing Act Guidelines 2011 for their review. OPR developed a writing style manual that is distributed to all employees. All documents that are subject to the Plain Writing Act are thoroughly reviewed for clarity, punctuation, grammar and spelling before they are finalized.

Office of the Solicitor General (OSG)

We have reviewed and updated our website to comply with the Federal Plain Language guidelines. We have also made adjustments to our job announcements and citizen mail responses to meet the requirements of the Act.

We have not engaged in any formal training. However, we are considering ways in which we can achieve a full understanding of the guidelines through training (specifically in DOJLearn). We would look to train those who review documents and other writings to be issued for public consumption.

Tax Division

The Tax Division's principal covered document is our public website, www.doj.gov/tax. We recognize the importance of clear communication in promoting tax compliance, and we continually strive to ensure that our website content meets the Plain Language standard. We routinely ensure that our website postings, as well as the documents filed in our court cases, are concise, thorough, well-organized and effective.

We do not specifically train on the Plain Language Act, but, as budget permits, we provide training on effective writing. Our most recent writing training was for attorneys, and took place on January 24, 2014. In addition, two classes on Plain Writing and another class in the SkillSoft library are available to all of our employees through the Department's Learning Management System.

