NCUA
National Credit Union Administration

Compliance Report • April 2014

Plain Writing Act Compliance 2013–2014
National Credit Union Administration

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Introduction

President Barack Obama signed the Plain Writing Act of 2010 into law on October 13, 2010. The law requires public communications by federal agencies to follow clear and concise "plain writing" principles. The law also requires federal agencies like the National Credit Union Administration to post a compliance progress report for public viewing on their websites each year.

This Plain Writing Act Compliance Report covers NCUA's activities and progress for the 2013–2014 reporting period. In the three-and-a-half years since the law's enactment, NCUA has made steady progress in educating staff about the requirements of plain writing and in making the agency's public documents easier to understand and follow.

Six Core Actions

As detailed in Section 4(a)(1) of the Plain Writing Act, not later than nine months after the date of enactment of the law, federal agencies should accomplish the six actions italicized below.

First, designate one or more senior officials within the agency to oversee the agency's implementation of the Plain Writing Act.

- NCUA designated the Deputy Executive Director as the primary senior official responsible for implementing the Plain Writing Act agency-wide. The Deputy Executive Director formed a working group from representatives of each central and regional office to ensure agency-wide inclusion to implement the Plain Writing Act.

- The Director of Public and Congressional Affairs and staff support the Deputy Executive Director in implementing and ensuring compliance with the Plain Writing Act.

- Each agency office has identified which written and electronic files are "covered documents" to meet plain writing considerations required by the law and has determined where to focus future training.

- NCUA created a Plain Writing Implementation Plan. The plan lists the roles and responsibilities of each office.

Second, communicate the requirements of the Plain Writing Act to the employees of the agency.

- The Executive Director initially issued an internal memo outlining the implementation roles and responsibilities of each NCUA office. All agency employees also received a copy of the agency's Plain Writing Implementation Plan.

- NCUA notified all agency employees of a mandatory, online plain writing training course to educate them on the new law and the principles of plain writing. All NCUA employees at the time completed this required training.

- NCUA continues to regularly remind employees of the requirements of the Plain Writing Act by including short articles about grammar tips and plain writing techniques in the agency's weekly email newsletter for staff.

Third, train employees of the agency in plain writing.

- To ensure ongoing compliance with the requirements of the Plain Writing Act, individual NCUA offices continue to conduct training about plain writing.

- In 2013, NCUA released a new *Communications Manual* that includes a lengthy chapter on plain writing techniques. The Executive Director authorized time for all staff to read the new manual.

- Staff with the Office of the Chairman and the Office of Public and Congressional Affairs subsequently conducted a webinar about the *Communications Manual* for all staff. An archived copy of the webinar is posted on the agency's internal website for review by staff.

- In December 2013, staff with the Office of the Chairman and the Office of Public and Congressional Affairs conducted a 90-minute specialized training session for the agency's mission support staff on the *Communications Manual* and the importance of plain writing.

- Throughout the 2013–2014 reporting period, NCUA has continued to emphasize plain writing principles in the various writing courses that NCUA hosts for staff, including for new examiners.

- NCUA routinely requires basic and specialized plain writing training for staff. Some examples of NCUA's training efforts in the past year include:

- The Office of Consumer Protection held a consultant-led training session for staff on plain writing in November 2013. Staff also received instructions on using the agency's *Communication Manual*. The training emphasized the manual's recommendations for clearer and simpler writing.

- The Office of Examination and Insurance developed and delivered plain writing training session for staff in 2013.

- Throughout 2013 and 2014, the Office of Public and Congressional Affairs has contributed regular tips on grammar and plain writing in NCUA's weekly email newsletter to all employees.

- NCUA's Region I office staff participated in plain writing training session. Examiners attended a writing class tailored specifically to their needs.

- NCUA's Region III held several plain writing training events, including a "Writing that Works" workshop in 2013.

- NCUA's Region IV held a training session on plain writing in 2013.

Fourth, establish a process for overseeing the ongoing compliance of the agency with the requirements of the Plain Writing Act.

- Either the Office of the Chairman, the Office of the Executive Director, the Office of General Counsel, or the Office of Public Congressional Affairs, or a combination of these offices, must review all official documents prepared for external audiences by NCUA's central office staff. These materials include proposed rules, final regulations, Board memorandums, press releases, new publications, reports to Congress, and agency correspondence. The document review process conducted by these offices includes an assessment of compliance with the Plain Writing Act.

- First-line field supervisors review the examination reports issued directly by examiners to federally insured credit unions, with some reports reviewed by higher supervisory levels.

- The review of plain writing principles is a regular part of the examination quality control process conducted within each NCUA regional office.

- NCUA holds managers accountable for ensuring that staff that prepare documents for public use follow plain writing guidelines and the requirements of NCUA's *Communications Manual*.

Fifth, create and maintain a plain writing section of the agency's website that is accessible from the homepage of the agency's website.

- NCUA maintains a plain writing webpage for the public to review. Launched in September 2011, the webpage includes links to the Plain Writing Act, the agency's compliance plan and annual reports, and plain writing guidelines for federal agencies. The webpage also permits the public to submit comments about NCUA's efforts to implement the Plain Writing Act.

Sixth, designate one or more agency points-of-contact to receive and respond to public input on agency implementation of the Plain Writing Act and the reports required by the law.

- The Office of the Executive Director is NCUA's public point of contact. Interested parties may submit comments or input through the established plain writing webpage or by sending an email to plainwriting@ncua.gov.

Four Additional Requirements

The Plain Writing Act of 2010 has four additional requirements for federal agencies. A summary of NCUA's compliance with each of these standards follows.

The plain writing website for the agency must inform the public of the agency's compliance with the requirements of the Plain Writing Act. The website must also provide a mechanism for the agency to receive and respond to public input on the agency's implementation of the Plain Writing Act and required reports.

- NCUA's plain writing webpage details the agency's actions related to the Plain Writing Act, including the agency's implementation plan, links to educational material on plain writing, and a portal for submitting public comments.

Beginning not later than one year after the date of enactment of the Plain Writing Act, each agency shall use plain writing in every covered document of the agency that the agency issues or substantially revises.

- The Office of Public and Congressional Affairs continues to produce the agency's flagship publication, the *NCUA Report*. Each month, this newsletter uses plain writing to provide important information for credit union managers, board directors, compliance officers, volunteers, and professionals about NCUA's activities, regulations, programs, and initiatives.

- NCUA is achieving compliance with the law by continuing to educate and emphasize plain writing to staff, management, and reviewing officials. The agency continues to emphasize the use of plain writing in every covered document, especially press releases, reports to Congress, regulations, examination reports, and widely distributed publications.

- NCUA's *Communications Manual* describes policies and procedures for all agency communications. The manual includes an extensive section on plain writing.

- To facilitate compliance with the Plain Writing Act, the Office of Examination and Insurance hired two technical editors in 2013. These writing professionals collaborate with the agency's technical experts on the development of public documents. As a result of the collaboration between these communications specialists and technical experts, NCUA hopes to:

  – Receive fewer questions from the public about regulations, guidance, letters to credit unions, and other documents.

  – Achieve improved compliance with NCUA's regulations by federally insured credit unions.

  – Decrease errors on forms and applications submitted to NCUA.

  – Spend less staff time on addressing errors resulting from miscommunication.

- During the reporting year, NCUA's Office of the Chief Information Officer incorporated plain writing principles into the redesign of several of the agency's online products, including the consumer resources and financial literacy pages on MyCreditUnion.gov and Pocket Cents, the Share Insurance Estimator tool, the temporary Risk-Based Net Worth Calculator associated with the proposed rule on risk-based capital for credit unions, and the Cybersecurity Resources page.

- The Chief Information Officer also consistently used plain writing in public communications about cybersecurity attacks or phishing attempts.

- During the last year, NCUA's Office of Consumer Protection also issued a Fair Lending Guide. Designed to help credit unions comply with the requirements of federal fair lending laws like the Equal Credit Opportunity Act and the Fair Housing Act, the guide follows the principles of plain writing.

- NCUA's Office of Consumer Protection and Office of Public and Congressional Affairs also collaborated to update and redesign the How Your Accounts Are Federally Insured tri-fold flyer and the Your Insured Funds booklet. Also available in Spanish translations, these easy-to-understand consumer resources are written clearly and concisely.

Not later than nine months after the date of enactment of the Plain Writing Act, the head of each agency shall publish on the plain writing section of the agency's website a report that describes the agency's plan for compliance with the requirements of the law.

- NCUA continues to follow its Plain Writing Implementation Plan, adopted in September 2011.

Not later than 18 months after the date of enactment of the Plain Writing Act, and annually thereafter, the head of each agency shall publish on the plain writing section of the agency's website a report on agency compliance with the requirements of the law.

- NCUA posted this report on April 14, 2014. This report is the third annual review of NCUA's compliance with the Plain Writing Act.