

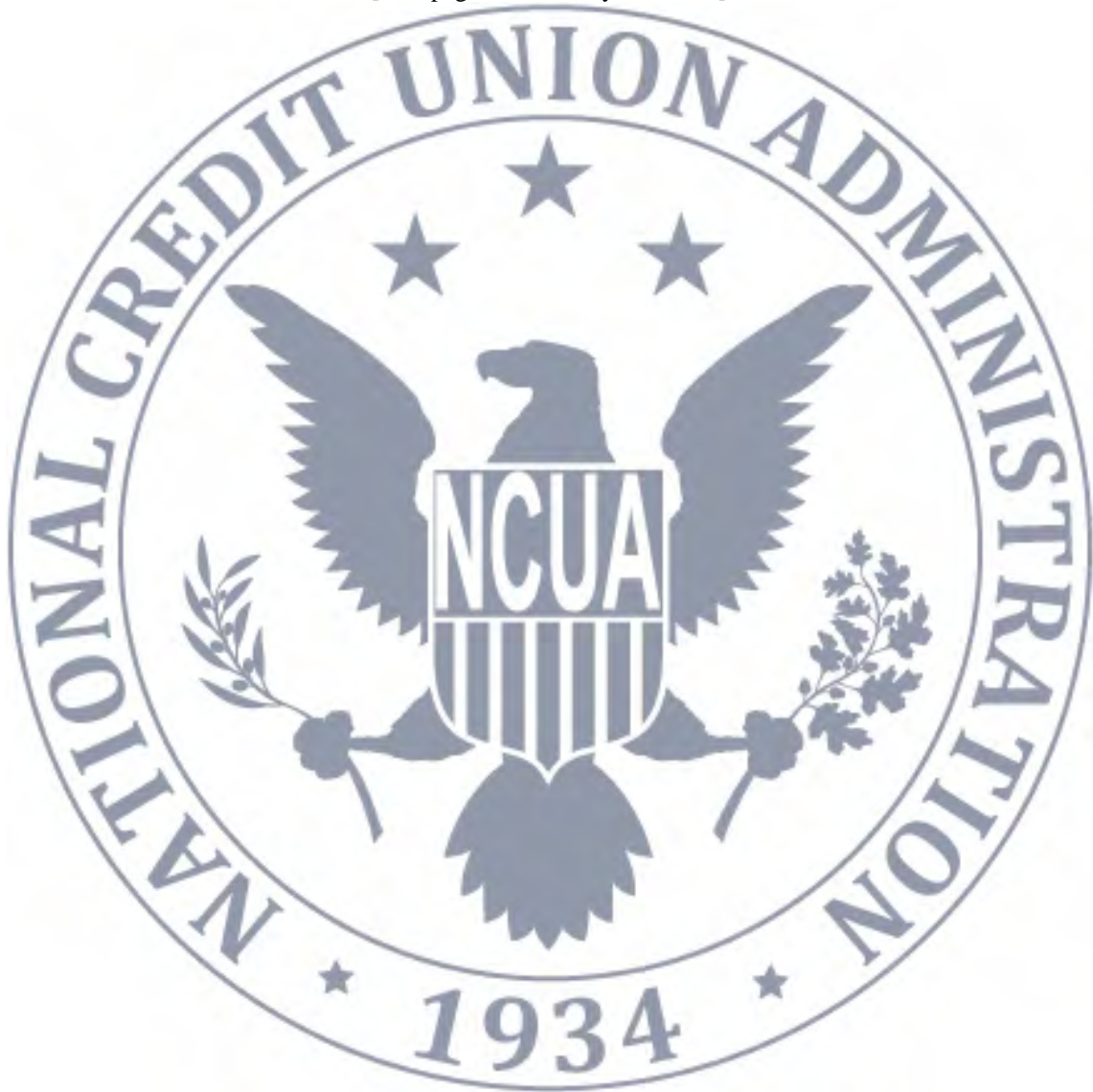


NCUA
National Credit Union Administration

Plain Writing Act Compliance Report 2020–2021

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Plain Writing Act Compliance Report • 2021

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Introduction

The [Plain Writing Act of 2010](#) requires “clear Government communication that the public can understand and use.” As part of its mission to promote confidence in the national system of cooperative credit, the National Credit Union Administration (NCUA) strives to write documents that are “clear, concise, well-organized, and follows other best practices appropriate to the subject or field and intended audience,” as required by the Act.

Compliance with the Act is a top priority among the NCUA’s leadership, managers, and staff, and the agency works continuously to improve its performance in that regard. We are pleased to provide this report for the 2020-2021 compliance period, completing the ninth annual review of the NCUA’s compliance with the Act.

Initial Requirements

The Plain Writing Act mandates six core actions and four additional requirements agencies must fulfill to maintain compliance with the law:

Core Actions

- Designate one or more senior officials within the agency to oversee the agency’s implementation of the Act;
- Communicate the requirements of the Act to agency employees;
- Train agency employees in plain writing;
- Establish a process for overseeing the agency’s ongoing compliance with the Act’s requirements;
- Create and maintain a plain writing section on the agency’s website that is accessible from the homepage of the agency’s website; and
- Designate one or more points-of-contact to receive and respond to public input on the agency’s implementation of the Act and the required reports.

Additional Requirements

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



- Each agency will use plain writing in every document that it issues or substantially revises.
- Each agency head will publish on the plain writing section of the agency's website a report that describes the agency's Act compliance plan.
- Each agency head will publish on the plain writing section of the agency's website an annual report on agency compliance with the law's requirements.

Plain Writing Officer and Infrastructure

The NCUA's Director of the Office of External Affairs and Communications (OEAC) is responsible for implementing the Act and serving as agency point-of-contact to receive and respond to public input. Questions or comments concerning the agency's plain writing efforts may be sent to plainwriting@ncua.gov.

The NCUA continually educates staff about plain writing requirements and produces public documents that are easier for audiences to understand and use. Examples of those efforts are listed in the [Plain Writing Compliance](#) and [Training](#) sections.

The NCUA's [plain writing webpage](#) meets the Act's requirements for accessibility to agency implementation and compliance reports, and includes a link to the [digital.gov](#) website. The webpage also provides an email address for the public to send comments.

Resources

- Chapter 2 of the NCUA's *Communications Manual* provides staff with guidance on following plain writing principles.
- The agency's Office of Human Resources (OHR) provides a two-day *Writing for Examiners* course as well as *Writing for Office Staff* and *Writing for Supervisors* courses. Upon request, OHR arranges writing classes tailored to meet the needs of agency offices.
- The NCUA uses templates for memorandums, reports, and correspondence that incorporate plain writing principles and help ensure consistency and clarity in agency communications.



Plain Writing Compliance

Agency reports are reviewed and edited by OEAC staff to ensure adherence to plain writing requirements, including: the NCUA's [2020 Annual Report](#), the [2020 Congressional Report on Notification and Federal Employee Antidiscrimination and Retaliation Act \(No Fear Act\) Report](#), and the [Office of Minority and Women Inclusion 2020 Annual Report to Congress](#).

The Office of the Executive Director (OED) implemented enhanced reviews of internal and external correspondence in partnership with OEAC and the NCUA Chairman's office. Agency leadership, including OED and OEAC, review these communications for content and quality before they are widely disseminated, and ensure they have been properly vetted with agency subject matter experts for conformity with agency communication policies.

The Office of the Chief Economist (OCE) ensures all products are well-written and understandable and follow Plain Writing Act principles. The office's general practice is to ensure the Chief Economist or another senior staff member reviews and provides necessary edits to written products before they are widely disseminated. While such reviews ensure that errors are identified, a primary review objective is ensuring economic concepts are clearly explained and key statistical findings are well articulated. Though all OCE staff have years of experience developing strong written products, reviews remain an essential part of the office's typical workflow.

Plain writing principles are integral to the Office of Consumer Financial Protection's (OCFP) preparation of written communications, scripts and visual content for videos, public broadcasts, and webinars. Examples include:

- **Consumer Assistance Center Communications:** OCFP continues to revise consumer call-center scripts to reflect clear and conversational language with consumers. OCFP keeps electronic and paper forms updated in both English and Spanish to ensure consumers understand the information.
- **Videos and Webinars:** OCFP uses plain writing principles to develop scripts and visual content for all videos, public broadcasts, and webinars. Examples include:
 - *2020 Fair Lending and Consumer Compliance Regulatory Update* webinar;
 - *Back to School* webinar;



- *Pathways to Consumer Financial Well-Being: The Importance of Financial Inclusion and Minority Depository Institutions* webinar with the Office of Credit Union Resources and Expansion (CURE);
- *Tax Time Resources for Credit Unions and Consumers* webinar with the Internal Revenue Service; and
- *2020 Federal Financial Institution Examination Council (FFIEC) Consumer Compliance Specialist* training conference.
- **Consumer Compliance Resources and Fair Lending Exam Materials:** OCFP uses plain language principles to inform federal credit unions about new or amended laws and regulations and resulting compliance requirements and to prepare the NCUA’s Regulatory Alerts and consumer financial protection updates.
 - OCFP provides the [Federal Consumer Financial Protection Guide](#) for examination staff and the public. The guide contains examination procedures the FFIEC approved in a logical, easy to access format.
 - Additionally, OCFP uses plain language principles in notification letters and reports written in connection with fair lending examinations and supervision contacts.
- **Educational Materials and Presentations:** OCFP uses plain language principles to develop numerous educational materials for NCUA staff. Some examples include:
 - Planning and presenting live online training sessions for NCUA examination staff on both the 2020 and 2021 consumer compliance exam procedures; and
 - Presenting quarterly training on timely consumer compliance topics at the Consumer Compliance Subject Matter Expert Working Group.

The Office of the Chief Financial Officer (OCFO) used plain writing principles and quality control in the following documents: Board Action Memorandums and related documents for the agency’s [2021-2022 Budget Justification](#), the [2021 Annual Performance Plan](#), and the [2020 Annual Report](#).

CURE develops training and informational materials using plain writing principles, including new courses and webinars that are posted on the NCUA’s [Learning Management Service](#). The courses use clear and concise plain writing principles to make the webinar slides, narration, closed captioning, and on-screen text easy to understand. CURE also redesigned the Learning Management Service for easier access and readability. In addition, CURE’s internal and external communications are subject to an editorial process that includes review for compliance with plain writing standards,



and staff are reminded of the importance of plain writing in the development of work product. Select examples of external materials, including annual reports, fact sheets, webinars, and online courses CURE produced that include plain writing principles include:

- The [Preserving Minority Depository Institutions Annual Report](#) to Congress on the activities of the agency's Minority Depository Institution Preservation Program;
- A [Minority Depository Institution Fact Sheet](#) available for download by credit unions;
- A [Minority Depository Institutions information page](#) on [MyCreditUnion.gov](#), the agency's consumer information website;
- A webinar co-hosted with OCFP on *Payday Alternative Loans and Short-Term Lending*;
- A webinar co-hosted with the Export-Import Bank on [Export Financing for Your Small Business Members](#);
- A webinar co-hosted with NeighborWorks called *Partnering with NeighborWorks*;
- An online course called *Serving the Underserved: The Community Development Revolving Loan Fund and Partnership Opportunities*; and
- An online course called *Compliance with the Bank Secrecy Act and Anti-Money-Laundering Regulations*.

The Director of the Office of Continuity and Security Management (OCSM) reviews all formal correspondence and written reports prior to dissemination for compliance with the Plain Writing Act, including reports of findings, memorandums, after action reports, alert notifications, and data requests. To ensure the material is drafted in plain language, staff who do not specialize in the topic area review all OCSM training documents and presentations.

The Office of Examination and Insurance (E&I) emphasizes plain language in development of staff manuals, guidance, and public-facing communications. Since 2013, E&I has two dedicated technical editors who provide guidance and direction on adhering to the Plain Writing Act and collaboratively compile key public facing documents. The editors work with E&I staff and other NCUA working groups to update and electronically publish manuals and guides in an interactive format. The technical editors review all releases for adherence to plain writing principles.

E&I continues with its initiative to convert technical content into an accessible electronic form, while editing the material for plain language. An example of efforts



using plain writing principles is the [Examiner's Guide](#), a collection of more than 400 pages of content. E&I staff and technical editors update this content on an ongoing basis to provide accurate guidance to exam staff, while adhering to plain language standards. The following *Examiner's Guide* content was reviewed, updated, and published during the report period:

- Allowance for Loan and Lease Losses;
- COVID-19;
- Call Report;
- Earnings;
- Fidelity Bond Coverage; and
- Cash Operations.

E&I continues to emphasize plain language as the office replaces and rewrites essential staff and industry manuals and guides. E&I routinely updates internal exam policies contained in the [National Supervision Policy Manual](#), including updates to reflect policy changes adopted by the Exam Steering Group and incorporate improvements associated with plain language standards. E&I released four versions of the *National Supervision Policy Manual* with updated content this past year.

The Office of National Examinations and Supervision (ONES) continues to emphasize plain writing skills with its staff. Three of ONES' quarterly newsletters include articles addressing writing skills. ONES' document creation and review procedures include using spell and grammar checks for all documents and correcting the use of passive voice. These editing procedures, along with ensuring 508 compliance, apply to all documents posted to [NCUA.gov](#).

The Office of Business Innovation (OBI) continues to uphold plain language standards for both internal and publicly disseminated products. The office routinely reviews internal and external web-based postings to ensure consistent use of plain writing guidelines and agency templates. Specifically, OBI regularly reviews and revises language, as necessary, to ensure memos, documents, and presentations comply with the *NCUA Communications Manual* and agency templates. OBI encourages all staff to periodically attend webinars and other training addressing plain writing.

The Office of General Counsel's (OGC) attorneys and staff produce large amounts of written product and regularly have peers review their work. After peer-level review, several managers review all regulations and legal opinions for consistency, accuracy, and readability. Although regulations are not considered covered documents under the



Plain Writing Act (regulation preambles are), OGC emphasizes the need for plain writing and strives to make certain that regulations are plainly written and understandable. As part of the office’s ongoing review of regulations, OGC developed a technical corrections regulation. Many of the corrections are designed to improve the clarity and readability of the NCUA’s regulations.

OGC continues to implement principles of the Plain Writing Act in its reviews of other offices’ written communications as well as in its own written communications. OGC plays a key role in reviewing and providing feedback on a substantial portion of guidance documents, directives, and training materials posted on the NCUA’s websites. In addition, OGC finalized and released an instruction that establishes NCUA policy and assigns responsibilities for ensuring the quality of information posted on the NCUA’s public websites and compliance with related legal requirements.

The Office of Human Resources (OHR) generates numerous communications, including topics such as employee engagement, student intern programs, training classes, and pandemic-related information. For example:

- The office issues newsletters conveying “just in time” information to the NCUA workforce on often complex human resources topics and COVID-19 employee resources.
- A communications engagement group within OHR developed a communications guide for how the office shares information internally and with the NCUA’s customers.
- OHR develops guides and special presentations to assist NCUA employees in understanding the process and requirements to successfully apply for positions. These tools help simplify the online application process, map out various parts of a vacancy announcement, and clarify terminology and verbiage used in the federal recruitment processes.
- OHR uses plain writing when the NCUA management team drafts language for Collective Bargaining Agreement provisions and Memorandums of Understanding with the National Treasury Employees Union. The office also uses understandable language when developing training materials that outline changes to Collective Bargaining Agreement articles and Memorandums of Understanding that have wide impact.
- In 2020, OHR established new policies, including Paid Parental Leave, Leave Payout and Simplified Leave Restoration Process, and COVID-19 Leave Options. These policies were written to comply with the Plain Writing Act and the NCUA *Communications Manual*.
- The NCUA provides summary results to the public on its website for the annual Federal Employee Viewpoint Survey. The summary is written in a concise,



chronological order that provides short paragraphs and bulleted information on survey results and provides access to the full NCUA Annual Employee Survey with results on each question.

The Office of Inspector General (OIG) makes a concerted effort to follow the Plain Writing Act's requirements. Managers and staff follow the provisions of the Plain Writing Act when reviewing and revising covered documents in their draft and final form. OIG consistently produces publications that are well-organized, clearly written, concise, and reflect strong analysis. In addition, OIG reviews its public-facing and internal-facing webpages annually to ensure information about OIG's mission, how to report matters to the OIG, and whistleblower protection is clear and understandable to the public and NCUA employees and contractors.

The Office of Minority and Women Inclusion's (OMWI) Diversity and Inclusion Communications Specialist is responsible for preparing and reviewing all communications developed by the office. Through an established editing and review process, the specialist ensures compliance with the Plain Writing Act and improves the clarity and effectiveness of all external communications. In addition, OEAC reviews all OMWI communications issued to credit unions and the public, including articles, documents, and reports.

The NCUA Regions maintain and update correspondence templates in compliance with the Plain Writing Act and the NCUA's *Communications Manual* and review draft internal and external correspondence prepared by analysts, examiners, and other staff on multiple supervisory levels. For example:

- Supervisors and the Division of Supervision perform secondary reviews of examination reports before distributing them to credit unions and ensure the reports also meet the requirements of the Plain Writing Act;
- Supervisors provide regular, continuous feedback to examiners and analysts on written work products with suggestions to enhance grammar and readability;
- Staff performance appraisals include an evaluation of strengths and weaknesses in plain writing techniques; and
- Management encourage staff to attend relevant training to ensure compliance with the Plain Writing Act and conduct periodic training for examiners on the fundamentals of the Plain Writing Act.



Training

The NCUA offices provided plain writing training to their staff and routinely incorporated discussions of plain writing principles in meetings. The items below provide some examples of training conducted during 2020-2021.

- OBI reinforces plain writing principles with staff on detail to the office by teaching them where to find standard agency-approved templates.
- OGC provides all attorneys access to on-demand training through the West Legal Education Center website that includes many courses on clear and concise writing. The variety of course offerings allow each attorney, in consultation with their supervisor, to select the writing course work most relevant for their practice area and training needs.
- OHR develops and sponsors numerous plain writing classes for all NCUA staff, including a virtual plain writing course for examiners as part of new examiner curriculum and online training on the Plain Writing Act. Examples of attended workshops and online training include:
 - Five sessions of a one-day *Plain Writing* course for new NCUA examiners as part of their STEP 7 training in communications (41 Federal and 42 State trainees);
 - A two-day *Writing for Examiners* workshop for experienced examiners who need a refresher on plain writing principles (48 Federal trainees); and
 - *Plain Writing Act* online training for all new NCUA employees (48 trainees).
- All OIG employees complete plain writing training and OIG encourages employees to include a periodic plain writing refresher course in their continuing professional education plan. To the extent any instances of non-compliance with the Plain Writing Act are identified, the responsible manager discusses such instances with the employee, provides further training opportunities, and takes other actions as needed to ensure compliance.
- OMWI's Diversity and Inclusion Communications Specialist works individually with the office's staff members to provide informal training on plain writing principles. This feedback and guidance contribute to ongoing improvements in the quality of written communications from the OMWI office.



- ONES staff completed a 90-minute report writing training session in March 2021. The training emphasized the need to use plain writing skills and the importance of writing in active voice, using simplified sentences, and headers and bullets to make information easier to read.
- The Regions encourage all staff to periodically attend webinars and other training addressing plain writing. In addition, a monthly Plain Writing tip is sent to staff, including such items as:
 - References to the NCUA *Communications Manual* Chapters 2 and 12: use strong verbs; use contractions; limit passive voice and use it only on purpose; choose the plain word; put the subject and verb close together near the beginning of the sentence; and, proofread carefully;
 - Record keeping is two words, no hyphen. Workpapers is one word, even if spellcheck says it is two words; and
 - References to Chapter 14 in the NCUA *Communications Manual*: Do not capitalize the names of organized bodies within the credit union. For example: credit committee, board of directors, supervisory committee, and executive committee would all be in lower case.