

Writing a Legislative Policy Memo

A legislative or policy memo is a document that *analyzes* and *provides recommendations* on an issue, policy, or piece of legislation to *inform* and *influence* decision-makers. In the context of advocacy writing, a memo differs from a letter. The primary differences are the length, depth of the content, and size of the audience.

Letter or Memo?

While letters and memos are similar, there are some strategies to consider when deciding whether to format your advocacy communication as a letter or a memo. A letter on a policy issue is often sent to a targeted list of recipients — for example, a state’s two Senators — and can be many pages long to explain the components of a bill or policy issue in depth. A memo is typically short, sent to a broad audience — like all members of the House of Representatives — and avoids getting into the weeds of specific policies. Memos and letters usually focus on one single piece of legislation, and often LWVUS will write both a memo and a letter about the same bill. As an example, it might be appropriate to write a memo to all members of Congress emphasizing the need to pass the *John R. Lewis Voting Rights Advancement Act* and a letter asking members of the committee of jurisdiction for a “yes” vote on the bill.

A memo should be:

- Clear: assume the reader is unfamiliar with the issue and avoid highly specialized language.
- Concise: assume the reader will review it briefly once. LWVUS typically aims to keep legislative policy memos under two pages long.
- Values-oriented: connect the policy issue to your organization’s values to explain why you are asking legislators to take a specific action on the issue.
- Bipartisan: ideally, the message should appeal to bipartisan, widely held values to draw support for the memo’s broad audience.

Start by considering:

- What is the issue your memo will address? Why does it matter?
- Who is your audience? What is their familiarity with the issue? What decision-making power do they have?
- What is your objective with the memo? What is your recommendation/ask?
- What population(s) is impacted by the issue? Be explicit here.
- What are the benefits of your recommendation?
- What barriers exist (e.g., costs, resources, time, political ramifications) that you might be able to acknowledge and address?

A memo should include:

- **Header:** date, to, from, title
- **Summary paragraph:** summary of the memo’s contents, including the issue and your recommendation/ask
- **Background paragraph:** summary of historical and/or technical information
- **Significance/recommendation paragraphs:** linking background information to the significance and your recommendation
- **Conclusion:** concluding sentence reiterating your recommendation/ask

Memo Template

[MONTH, DAY, YEAR]

To: The Honorable [FIRST AND LAST NAME]

From: [NAME, POSITION,] the League of Women Voters of [NAME]

Re: [TITLE THAT SHARES MEMO PURPOSE]

[SUMMARY PARAGRAPH]

Example: The League of Women Voters of [NAME] urges you to support/oppose [BILL #], [BILL NAME]. [1 – 2 SENTENCES ABOUT WHAT THE POLICY/LEGISLATION WOULD DO AND WHY IT MATTERS OR POSES A THREAT].

[BACKGROUND PARAGRAPH]

[1 – 2 SIGNIFICANCE/RECOMMENDATION PARAGRAPHS]

Example concluding sentence: If you believe in [VALUE OR VISION], the League of Women Voters of [NAME] urges you to support/oppose [BILL #], [BILL NAME] and [WHAT WILL RECOMMENDATION ACHIEVE].



July 20, 2023

From: Virginia Kase Solomón, CEO, League of Women Voters

Re: Marking the centennial of the Equal Rights Amendment (ERA)

This weekend marks the centennial anniversary of Alice Paul introducing the Equal Rights Amendment (ERA) at the Women's Rights Convention in Seneca Falls, NY. The ERA will constitutionally protect the equality of rights under the law regardless of sex.

The fight for women's equality is far from over, but there is legislation that Congress can move to uphold the rights of more than half the population. The League of Women Voters urges you to support H.J. Res. 25, a bipartisan resolution affirming that the ERA is a valid part of the US Constitution.

The ERA has satisfied all requirements outlined in Article V of the Constitution and should be published as the 28th Amendment. In 1972, the ERA was passed by Congress with well over the necessary two-thirds vote and was sent to the states. In 2020, Virginia became the 38th and final state needed to meet the three-fourths state ratification requirement. The effective waiting period has now come to an end, and the amendment is enforceable. The best way to ensure that the will and ratification rights of the states are respected is by removing any doubt about the validity of the ERA.

Despite the significant legal and legislative advances that have been made in recent decades, women and other individuals continue to face discrimination on the basis of sex. The symptoms of this systemic discrimination are clear in the ongoing fights against unequal pay, workplace harassment, pregnancy discrimination, and domestic violence, among others. It is not enough to treat the symptoms of inequality; we must address its root causes by amending the Constitution.

One hundred years after its introduction, support for the ERA remains strong. Nearly 75% of Americans support the ERA according to polling from Associated Press-NORC Center for Public Affairs Research¹. If you believe in equality for all regardless of sex, the League urges you to support H.J. Res. 25 and critically affirm the enshrinement of equality into the Constitution once and for all.

Example

¹ <https://apnews.com/article/42b93fd7386089110543f4e1827ded67>

Creating a Legislative Policy Leave-Behind

A legislative or policy leave-behind is a document that briefs readers on a legislative or policy priority, which you leave with offices of decision-makers, partners, etc. This leave-behind may be used in addition to a general leave-behind with information about your organization that can be used in advocacy meetings about many different policy issues.



A leave-behind should be:

- Clear: assume the reader is unfamiliar with the issue and avoid highly specialized language.
- Concise: assume the reader will review it briefly once. LWVUS typically aims to keep it to one page.
- Formatted: visually appealing and clearly branded and in PDF format, so that it is not easily editable and can be circulated digitally.
- Messaging: ensure that it is consistent with League policies, not contradictory to partner messaging, and sufficiently apolitical/bipartisan to ensure it will resonate with the offices you meet with.

Start by considering:

- What is the issue your leave-behind will address? Why does it matter?
- Who is your audience? What is their familiarity with the issue? What decision-making power do they have?
- What is your in-person recommendation/ask, and how can this leave-behind support it?
- What is the legislation/policy your leave-behind will address? Why is it important?
- What legislation/policy history can help support your case, such as a history of bipartisan support, passage, etc.?
- What population(s) is impacted by the issue and policy or legislation? Be explicit here.
- What are the benefits of your recommendation?
- What are common arguments against your recommendation/ask? Can you proactively address them?

A leave-behind should include:

- **Organizational header**
- **Title:** including a bill number if addressing legislation
- **Organizational statement:** 1 – 3 sentences on your organization, establishing credibility
- **Frequently asked question section**
 - **Issue overview:** this should appear first
 - **Bill/policy summary:** this should appear early on
 - **Issue background**
 - **Legislation/policy significance:** make a case for your recommendation
 - **Legislation/policy history:** e.g., history of bipartisan support, passage, etc.
 - Other FAQs
- **Contact information:** in case this leave-behind is circulated beyond the people with whom you meet

Leave-behind Template

[LEAGUE HEADER & LOGO]

[TITLE INCLUDING BILL # IF APPLICABLE]

[1 – 3 SENTENCES ON LEAGUE, ESTABLISHING CREDIBILITY]

Frequently Asked Questions

[ISSUE OVERVIEW]

[BILL/POLICY SUMMARY]

[ISSUE BACKGROUND]

[LEGISLATION/POLICY SIGNIFICANCE]

[LEGISLATION/POLICY HISTORY]

[OTHER FAQs]

[CONTACT INFO]

The Equal Rights Amendment (ERA) and H.J. Res. 25

The League of Women Voters is a nonpartisan, grassroots organization working to protect and expand voting rights and ensure that everyone is represented in our democracy. We empower voters and defend democracy through advocacy, education, and litigation at the local, state, and national levels. The League has a presence in nearly every community across the country with more than 750 chapters spread across all 50 states and the District of Columbia.

Frequently Asked Questions

What is the Equal Rights Amendment (ERA)?

The ERA constitutionally protects equality regardless of sex, reading: “Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex. Sec. 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article. Sec. 3. This amendment shall take effect two years after the date of ratification.”

What is H.J. Res. 25?

H.J. Res. 25 is a bipartisan resolution that will affirm the validity of the ERA as part of the US Constitution.

What is the history of the ERA?

The ERA was introduced by suffragist Alice Paul in 1923. It was passed by Congress in 1972 with more than the necessary 2/3 vote and in 2020, passed the 38-state threshold for ratification.

Why do we still need the ERA?

More than 100 years after some women gained the right to vote, women and others continue to face systemic discrimination in the form of unequal pay, workplace harassment, pregnancy discrimination, domestic violence, and more. We must address the underlying cause of inequality by including women in the Constitution.

How popular is the ERA?

Nearly 75% of Americans support the ERA according to recent polling by The Associated Press-NORC.

What will the ERA do?

The ERA will pave the way for further legislative progress toward sex equality and elevate the judicial standard for deciding cases of sex discrimination.

What happens to the ERA now?

As the ERA has met all ratification requirements as per Article V of the Constitution, the ERA is ready to be published.

Isn't there a question of a time limit?

When Congress passed the ERA in 1972, it put in the amendment preamble a time limit for ratification, which lapsed before all 38 states ratified the ERA. Congress has the authority to address this question and affirm the validity of the ERA.

Haven't some states tried to rescind their ratifications?

According to the National Archives and Records Administration, the national Archivist's certification of state ratification is “final and conclusive,” so states cannot rescind. Recission attempts for other amendments have not been recognized.

Will the ERA impact abortion?

The ERA does not directly address abortion. The ERA would expand the tools that the judicial branch has to review laws that differentiate on the basis of sex.

Will the ERA eliminate single-sex spaces?

Under the ERA, the government would still be able to distinguish on the basis of sex if it had a compelling interest to do so.

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