Government of the District of Columbia

Office of Advisory Neighborhood Commissions
1350 Pennsylvania Avenue, NW
Suite 11
Washington, DC 20004
(202) 727-9945

MEMORANDUM

TO: ANC 1A
FR: Denise Wiktor, General Counsel
DT: 05/16/2025
RE: AIDs Quilt Grant Request

The OANC has received a copy of a grant request, budget and cost estimates from the Capital Pride Alliance for an AIDS memorial quilt display at the Mexican Cultural Institute in connection with World Pride I have reviewed the application sent to the OANC and have found that the request is a **permissible** expenditure of ANC monies as discussed below. To ensure this event has a substantial benefit to ANC 1A, the ANC should consider asking the applicant how this will be advertised to the ANC 1A community.

There are five prongs a grant must meet to be a permissible expense[1] and a 6th requirement of the D.C. Official Code that limits the amount of a grant that can be spent on overhead[2]. They are:

1. **Public Purpose:** ANC grants must be for "public purposes within the Commission area."[3] A public purpose is one "that includes a significant benefit for the community and is not done for the primary purpose of benefitting a private entity."[4] This event has a broad public purpose and is taking place within ANC 1A. Whether it has a significant benefit to ANC 1A will largely hinge on how well the community knows about it. It is on the edge of ANC 1A at the Mexican Cultural Institute which will likely have a large sign on its fence which those who use 16th Street will see. I would suggest the ANC query the applicant, if they are presenting at their meeting, about what their outreach efforts will be and for the ANC to make it know by utilizing local listservs.

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[1] See, *Letter to Schanette Grant on Seasoned Settlers and Grants Generally,* April 14, 2022, found at https://oag.dc.gov/sites/default/files/2022-04/Letter-to-OANC-Re-Seasoned-Settlers-Grant-and-Grants-Generally-.pdf

[2] D.C. Official Code 1-309.13(m)(2)(D) "No Commission shall provide a grant for which the grantee estimates that the overhead costs would exceed 15% of the entire grant amount."

[3] D.C. Official Code § 1-309.13(l)(1).

[4] *Id.*

2. **Local Benefit**: A grant must "benefit persons who work or reside in the Commission area."[5] This does not mean the grant may only benefit Commission residents; it simply means the grant's benefits should be focused on those residents.[6] The event location is within ANC 1A. The applicant has noted that the are advertising on the World Pride event page and will work with the ANC to get the word out locally. Without this effort it would not meet the local benefit and significant benefits test.

3. **Proposed Project.** A grant must be for a proposed project.[7] This is a discrete event with a beginning and end in the future.

4. **Organization.** A grant must be to an "organization," not an individual or a government entity,[8] although the organization need not be incorporated.[9] The Capital Pride Alliance **is** an organization within the meaning of the code.

5. **Non-Duplication.** A grant cannot duplicate any services offered by the D.C. government.[10] The District government does not offer any service like this.

6. **Overhead.** Overhead cannot exceed 15% of the grant amount.[11] None of the grant monies will be used for overhead as the Code defines it.

Conclusion

For the reasons stated above this grant is a **permissible** expenditure of ANC funds if outreach to the ANC 1A audience is made.

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[5] D.C. Official Code § 1-309.13(m)(1).

[6] See *Letter to Deborah K. Nichols*, Nov. 9, 2006, at 2 n.2 found at Letter-to-Deborah-Nichols-Re-Whether-an-ANC-may-approve-a-grant-to-commission-plans-and-drawings-.pdf (ANC 4C grant was permissible where the "[b]enefit to other ANCs would be incidental to the benefit conferred on ANC 4C residents," because a grant's benefits need not "be exclusive to the ANC that gives the grant funds"); see *Letter to Comm'r Fletcher*, Mar. 15, 2022, at 2, available at https://oag.dc.gov/sites/default/files/2022-03/ANC-7E-Letter-to-Commissioner-Fletcher-RePublic-Purposes-Within-the-Commission-Area-.pdf making the same point with respect to the public-purpose requirement).

[7] D.C. Official Code § 1-309.13(m)(2)(A).

[8] D.C. Official Code § 1-309.13(m)(1); see also *Letter to Deborah K. Nichols*, Jan. 14, 2010, at 4, available at https://oag.dc.gov/sites/default/files/2018-02/ANC-January-14-2010-Guidelines-for-Use-of-ANC-Funds.pdf

[9] See *Letter to Deborah K. Nichols*, Aug., 4, 2000 at 3, available at https://oag.dc.gov/sites/default/files/201802/ANC-August-4-2000-Grants-by-ANCs-Public-Purpose-and-Corporate-Status-of-Recipients.pdf ("The plain meaning of the term 'organization' includes unincorporated associations").

[10] D.C. Official Code § 1-309.13(m)(1).

[11] D.C. Official Code §1-309.13(m)(1)(2)(D).