

Government of the District of Columbia



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MEMORANDUM

TO: ANC 6C
FR: Denise Wiktor, General Counsel
DT: 5/21/2025
RE: Glasses4Scholars

The OANC has received a copy of a grant request from the Prevention of Blindness Society of Metropolitan Washington for their Glasses4Scholars program. I have reviewed the application sent to the OANC and have found that the request is a **impermissible** expenditure of ANC monies as outlined below. The main reasons are that it is not focused on the ANC, it is a year long citywide program and that the expenditure is impermissible in that it represents a benefit to individuals rather than the community. It is also not clear if a significant number of children from 6A would be served. This is a great program and I hope it succeeds, but unfortunately not every great project qualifies for ANC Funds.

There are five prongs a grant must meet to be a permissible expense¹ and a 6th requirement of the D.C. Official Code that limits the amount of a grant that can be spent on overhead². 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 While there is possibly a benefit to ANC 6A it is uncertain as teachers will be referring children to the program. The total number of children served, when divided up by Ward will be a small number and too small to be considered significant. It certainly will be significant in that child’s life, just not under the ANC grant standard.

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 Whether there is a local benefit is uncertain.

Proposed Project. A grant must be for a proposed project.⁷ This is a discrete single project, albeit one that started yesterday.

3. **Organization.** A grant must be to an “organization,” not an individual or a government entity,⁸ although the organization need not be incorporated.⁹ An organization within the meaning of the code applied for this grant.
4. **Non-Duplication.** A grant cannot duplicate any services offered by the D.C. government.¹⁰
5. **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. Based on this grant not meeting other factors the OANC did not calculate the percentage of overhead.

Conclusion

For the reasons stated above this grant is an **impermissible** expenditure of ANC funds.

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](https://oag.dc.gov/sites/default/files/2018-02/ANC-January-14-2010-Guidelines-for-Use-of-ANC-Funds.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).