

Government of the District of Columbia



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MEMORANDUM

TO: Karla Lewis, Chair ANC 5E
FR: Denise Wiktor, General Counsel
DT: 2/6/2024
RE: DC Postsecondary Success Collaborative

The DC Postsecondary Success Collaborative applied for a grant from ANC 5E for the purpose of putting on a Success Summit. This grant is not a permissible use of ANC Funds because it is a citywide event with no specific benefit to ANC 5E residents or businesses and the proposed use of the ANC funds, primarily for speaker stipends is an impermissible use of ANC money to benefit individuals.

The DC Postsecondary Success Collaborative requested funding for an event at the Friendship Public Charter School that would expose high school students to opportunities available to them after high school. Exhibitors from higher education, employment organizations, training organizations, and various government agencies will be present. Additionally, there would be workshops and networking. The event would be free to participants.

The benefits for ANC 5E are represented as occurring in the ANC and because it “will bring people from across the city.” The ANC Commissioners have been offered speaking time at the event.

In addition to a public purpose, ANC grants must have a local benefit.¹ A grant must “benefit persons who work or reside in the Commission area.”² This does not mean the grant may only benefit Commission residents; it simply means the grant’s benefits should be focused on those residents.³ This event appears to be a city-wide event that happens to occur in ANC 5E. There is no specific benefit to ANC 5E. Since this is a city-wide based event, the offer to let commissioners speak at the event does not present the local benefit of interacting and speaking with their own constituents.

¹ *Seasoned Settlers*, at p. 2.

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

³ See Letter to Deborah K. Nichols, Nov. 9, 2006, at 2 n.2 (on file) (ANC 4C grant was permissible where “[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).

The grant also presents the issue of a benefit to individuals since the grant monies will be used to pay individual “honorariums”.

Such an expenditure would also be prohibited as a grant under D.C. Official Code section 1-309.13(l)(1) which provides:

Expenditures may be in the form of grants by the Commission for public purposes within the Commission area pursuant to subsection (m) of this section. A public purpose shall be a purpose that benefits the community as a whole and is not done for *the primary purpose of benefitting a private entity*. (Emphasis added)

The primary beneficiary of the \$2,000.00 requested for honorariums will be the speakers receiving those fees, not the residents and businesses of ANC 5E.

For all of the above reasons, this grant is an impermissible use of ANC Funds.