

Government of the District of Columbia



Office of Advisory Neighborhood Commissions
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MEMORANDUM

TO: Delia Houseal, Chair 7E
Karla Reid-Witt, Treasurer 7E
FR: Denise Wiktor, General Counsel
DT: November 14, 2023
RE: Grant Application by Marshall Heights Bison

The OANC received a copy of a grant application from the Marshall Heights Bison to take 21 children and 9 coaches to Naples Florida. Unfortunately, this is not a permissible use of ANC monies for the reasons outlined below. The application indicates that no funding for this trip has yet been received. I would encourage the team and the ANC to reach out to the ward Councilmember, the Chair and the at-large Councilmembers whose constituent service funds do not have the restrictions that ANC funds have.

The D.C. Official Code section 1-309.13(l)(2) expressly prohibits the expenditure of ANC money on “travel outside of the Washington metropolitan area.”

Expenditures, whether direct or by grant, by an ANC must serve a public purpose as defined in the D.C. Official Code as “a purpose that benefits the community as a whole and is not done for the primary purpose of benefitting a private entity¹” and “which benefits or potentially benefits a significant number of persons who either reside or work within the Commission area.”² To that purpose “[e]ach proposed ANC grant must be carefully scrutinized to ensure that it will benefit a significant part of the public, not just a few individuals.”³ The OAG has previously determined that grants that benefit only 15 persons or a small number of children do not meet the Public Purpose requirement.⁴

For these reasons, this grant would be an impermissible expenditure by ANC 7E. I wish the team every luck in this endeavor.

Cc: Kent Boese

¹ 7 D.C. Official Code § 1-309.13(l)(1)

² Letter to Deborah K. Nichols, Jan. 14, 2010, at 4, available at <https://oag.dc.gov/sites/default/files/2018-02/ANCJanuary-14-2010-Guidelines-for-Use-of-ANC-Funds.pdf>

³ <https://oag.dc.gov/sites/default/files/2018-02/ANC-4-C-June-30-2017-Block-Grants-and-Public-Purpose-Requirement.pdf>

⁴ Letter to ANC Staff Assistant Shaw October 14, 2011 found at <https://oag.dc.gov/sites/default/files/2022-07/Letter-to-ANC-Staff-Assistant-Shaw-Re-ANC-5C-Grant-to-Living-Story-Book-Organization-.pdf>

Letter to Deborah K. Nichols District of Columbia Auditor, January 14, 2010, found at <https://oag.dc.gov/sites/default/files/2018-02/ANC-January-14-2010-Guidelines-for-Use-of-ANC-Funds.pdf>