

Government of the District of Columbia



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**MEMORANDUM**

TO: ANC 7D  
FR: Denise Wiktor, General Counsel  
DT: 5/13/2025  
RE: Grant request from DCWISE for Festival Connection

The OANC has received a copy of a grant request from DCWISE for a June Festival. I have reviewed the application, budget and supplemental materials sent to the OANC and have found that the request is a **permissible** expenditure of ANC monies as outlined below.

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

1. **Public Purpose:** ANC grants must be for “public purposes within the Commission area.”<sup>3</sup> 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.”<sup>4</sup> This standard was changed with the Fiscal Year Budget Support Act and the accompanying emergency.<sup>5</sup> While the application does not state the location of the event the applicant supplemented the application stating that it would take place within ANC 7D. The applicant describes the event as one that is meant to foster a “sense of unity, pride and shared identify among residents.” It also notes it supports the goal of safe engagement throughout ANC 7D. ANC 7C will substantially benefit from the event, which also has a number of free activities for the residents.

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<sup>1</sup> 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>

<sup>2</sup> 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.”

<sup>3</sup> D.C. Official Code § 1-309.13(l)(1).

<sup>4</sup> *Id.*

<sup>5</sup> This precludes payment to individuals whether it be for services or as a stipend or honorarium. It also precludes the purchase of non-transient nature that will remain in the possession of an individual after an event such as tables and chairs or tents. Rental of such items is permissible. The ANC may purchase items that they retain and use or loan out to the community.

2. **Local Benefit:** A grant must “benefit persons who work or reside in the Commission area.”<sup>6</sup> This does not mean the grant may only benefit Commission residents; it simply means the grant’s benefits should be focused on those residents. The event is within ANC 7C and it will have a local benefit.
3. **Proposed Project.** A grant must be for a proposed project.<sup>7</sup> This is a discrete single event.
4. **Organization.** A grant must be to an “organization,” not an individual or a government entity,<sup>8</sup> although the organization need not be incorporated.<sup>9</sup> DCWISE1 is an organization within the meaning of the code.
5. **Non-Duplication.** A grant cannot duplicate any services offered by the D.C. government.<sup>10</sup>
6. **Overhead.** Overhead cannot exceed 15% of the grant amount.<sup>11</sup> 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.

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<sup>6</sup> D.C. Official Code § 1-309.13(m)(1).

<sup>7</sup>D.C. Official Code § 1-309.13(m)(2)(A).

<sup>8</sup> 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>

<sup>9</sup> 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”).

<sup>10</sup> D.C. Official Code § 1-309.13(m)(1).

<sup>11</sup> D.C. Official Code §1-309.13(m)(1)(2)(D).