

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE ATTORNEY GENERAL**



**ATTORNEY GENERAL
KARL A. RACINE**

Legal Counsel Division

March 15, 2022

Schannette Grant
Interim Executive Director
Office of Advisory Neighborhood Commissions
1350 Pennsylvania Ave., N.W., Ste. 11
Washington, D.C. 20004

Re: Interference in another Commissioner’s single-member district

Director Grant:

You have asked us to advise on a question your office has received: whether the Advisory Neighborhood Commissions Act of 1975 (“ANC Act”)¹ prohibits a Commissioner from “interfering” within the single-member district of another Commissioner by speaking with businesses and community members from the other Commissioner’s single-member district, or holding events in that single-member district, without consulting with or involving that other Commissioner. No such prohibition exists.

Single-member districts play an important role in the operations of an ANC. Under the Home Rule Act, Advisory Neighborhood Commissioners are “elected from single-member districts within each neighborhood commission area by the registered qualified electors of such district.”² Likewise, under the ANC Act, each single-member district Commissioner is entitled to “equal access to the Commission office and its records in order to carry out Commission duties and responsibilities,”³ and entitled to advance notice of certain proposed governmental actions that may affect neighborhood planning and development in that Commissioner’s single-member district.⁴

Even so, single-member districts are electoral districts, not territorial units. Although each Commissioner elected from a single-member district can fairly be described as a representative of that district, nothing in the ANC Act, or any other District law, gives a single-member district Commissioner any control over activities that take place within that Commissioner’s district.

¹ Effective October 10, 1975 (D.C. Law 1-21; D.C. Official Code § 1-309.01 *et seq.*).

² D.C. Official Code § 1-207.38(b); *see id.* § 1-309.03 (Council establishes single-member district boundaries by act).

³ *Id.* § 1-309.13(p).

⁴ *See, e.g., id.* § 1-309.10(b).

For instance, a single Commissioner has no authority to determine how ANC funds will be spent within that Commissioner's single-member district, or to offer recommendations entitled to great weight about policies affecting that district. Any ANC authority on those and other matters within a single-member district is exercised by the ANC as a body, rather than by any single Commissioner.⁵ Nor does anything in District law restrict a Commissioner's activities to his or her own single-member district. Accordingly, the ANC Act leaves Commissioners free – just as private citizens are – to travel to, speak to people in, and conduct events in other single-member districts, without any requirement that they first consult the Commissioners elected from those other districts. Commissioners may choose to do this kind of consultation as a matter of etiquette, but it is not required as a matter of law.

Sincerely,

KARL A. RACINE
Attorney General for the District of Columbia

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(AL-22-181)

⁵ See *id.* §§ 1-309.10(d) (great weight applies only to recommendations of the ANC as a whole) and 1-309.13(f)(1) (expenditure of Commission funds requires the approval of the ANC).