

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



Legal Counsel Division

April 12, 2006

Faith E. Wheeler
Treasurer ANC 4B
6856 Eastern Avenue, N.W.
Suite 314
Washington, D.C. 20012

Re: Use of ANC Funds for Black History Month Speaker

Dear Commissioner Wheeler:

This responds to your letter of March 13, 2006 in which you ask whether your Advisory Neighborhood Commission (ANC) may expend funds to host a professional speaker at your regular monthly meeting. You state that the event (which occurred on February 22, 2006) was held in honor of Black History Month and that the speaker presented poetry about the life-death struggles of African Americans. You attach the invoice for this lecture, which is in the amount of \$150.00.

Section 16(l)(1) of the Advisory Neighborhood Commissions Act of 1975, as amended, effective October 10, 1975, D.C. Law 1-21, D.C. Official Code § 1-309.13(l)(1) (2005 Supp.) states in pertinent part: “A Commission shall expend funds . . . for public purposes within the Commission area . . .” Though broadly stated, there are restrictions. For instance, certain expenditures are expressly prohibited including funds for partisan political activity, subsistence, meals, and commissioner travel outside of the Washington metropolitan area. D.C. Official Code § 1-309.13 (l)(2) (2005 Supp.). Moreover, under Federal law, expenditures for entertainment are also prohibited.

Here, we see no reason why ANC funds cannot be used to pay the lecturer’s fee. The expenditure is not one of those expressly prohibited by law, and appears to be something the ANC may decide falls within a public purpose. Notably, the event was open to the public in that it was held at the ANC’s regular monthly public meeting and involved a subject of educational and historical importance. In the past, we have permitted the expenditure of ANC funds to purchase tickets for residents of an ANC to attend a Black History Month lecture at the D.C. Armory. *See Letter to Sinclair Skinner, February 20, 2004.* In our view, there is no appreciable difference between purchasing tickets and directly paying a lecturer to speak. Accordingly, your ANC may authorize payment of the invoice you have submitted.

Sincerely,

ROBERT J. SPAGNOLETTI
Attorney General

_____/s/_____

RJS/dps

(AL-O6-166)