

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



**ATTORNEY GENERAL
BRIAN L. SCHWALB**

Legal Counsel Division

October 24, 2025

Commissioners
Advisory Neighborhood Commission 3G

Re: Permissible Scope of ANC Resolutions

Dear Commissioners:

You have asked for our Office's guidance on whether an ANC could, consistent with its role under the Home Rule Act and ANC Act, adopt a resolution that, among other things, condemns the shootings of state lawmakers in Minnesota.¹ In our view, such a resolution would be lawful as long as the ANC can articulate a reasonable nexus to the neighborhood area.

Our view is grounded in the reasonable discretion that the District of Columbia Home Rule Act ("Home Rule Act")² and the Advisory Neighborhood Commissions Act of 1975 ("ANC Act")³ give ANCs to comment on matters affecting their respective neighborhoods. The Home Rule Act authorizes ANCs to "advise the District government on matters of public policy including decisions regarding planning, streets, recreation, social services programs, health, safety, and sanitation in that neighborhood commission area."⁴ Along similar lines, the ANC Act authorizes each ANC to:

advise the Council of the District of Columbia, the Mayor and each executive agency, and all independent agencies, boards and commissions of the government of the District of Columbia with respect to all proposed matters of District government policy including, but not limited to, decisions regarding planning, streets, recreation, social services programs, education, health, safety, budget, and sanitation which affect that Commission area."⁵

¹ ANC 3/4G Resolution Condemning the Recent Attacks on Democratic Lawmakers in Minnesota, *available at* <https://anc3g.org/wp-content/uploads/2025/06/Draft-Resolution-Conderning-Violent-Attacks-on-Lawmakers.pdf>. Our understanding is that the "3/4G" part of the resolution's title reflects a common alternate name for your ANC—one that arose because your ANC bridges Wards 3 and 4. See <https://oanc.dc.gov/anc-profile/anc-34g>.

² Approved Dec. 24, 1973 (87 Stat. 777; D.C. Official Code § 1-201.01 *et seq.*).

³ Effective Oct. 10, 1975 (D.C. Law 1-21; D.C. Official Code § 1-309.01 *et seq.*).

⁴ D.C. Official Code § 1-207.38(c)(1).

⁵ *Id.* § 1-309.10(a).

On its face, this language gives an ANC reasonably broad authority to comment on matters that the ANC determines affect its neighborhood commission area, regardless of whether those issues originate in the commission area or also affect people outside the commission area.

The ANC Act also authorizes each ANC to speak on issues of concern to the neighborhood area. In particular, section 14(b)(2) (D.C. Official Code § 1-309.11(b)(2)) allows each Commission, “at its public meetings, [to] consider and make recommendations on matters before the Commission that *may include, but are not limited to*, actions or proposed actions of the Council, the Mayor, executive branch agencies, or any independent agency, board, or commission” (emphasis added). This language makes clear that an ANC can make recommendations on matters before it, and that those matters go beyond “actions or proposed actions” that the District government is considering.

Similarly, section 14(b)(3) (D.C. Official Code § 1-309.11(b)(3)) directs each ANC to set aside time in each public meeting to “hear the views of residents within the Commission area and other affected persons on problems or issues of concern within the Commission area and on proposed District government actions that affect the Commission area.” Although the latter clause is limited to proposed District government actions that affect the Commission area, the former clause is broad enough to include views on any problems or issues of concern within the Commission area, regardless of whether those issues originate in the commission area or also affect people outside the Commission area. Under this language, the fact that an ANC can—and must—set aside time for comments on issues of concern to those in their neighborhood area suggests that those issues are properly before an ANC and the ANC itself can make recommendations concerning those issues.

ANC resolutions are a common tool that ANCs use to implement their authority under these provisions.⁶ A scan of those resolutions demonstrates that they often opine on issues that affect all District residents, not just on issues that affect only the ANC area.⁷ Those resolutions also sometimes speak to events happening outside the District.⁸ What is more, we think the determination of whether a particular matter affects an ANC area generally is properly left to Commissioners, who are well-positioned to know what issues matter to and affect their ANC’s residents. If any Commissioners disagree that a resolution addresses such an issue, they may express their views, vote “no,” and try to persuade their fellow Commissioners to do the same.

Accordingly, we conclude that a resolution, even one on a District-wide issue or one that is motivated by events that took place outside the District, is permissible as long as the ANC can articulate a reasonable nexus to the neighborhood area—a way in which the matters it wishes to speak about affect the ANC’s own neighborhood.

⁶ See Office of Advisory Neighborhood Comm’ns, Resolutions, <https://resolutions.anc.dc.gov/Documents.aspx>.

⁷ See, e.g., ANC 5E, Resolution Advocating for Better Bus Shelters from the District Department of Transportation, Sept. 16, 2025, available at <https://resolutions.anc.dc.gov/ViewResolution.aspx?Id=shkAAA>.

⁸ See, e.g., ANC 2A, Resolution on Federal Law Enforcement Identification Standards, Sept. 16, 2025, available at <https://resolutions.anc.dc.gov/ViewResolution.aspx?Id=uRkAAA> (“Be it further resolved, that this Commission applauds the efforts of legislators in other states, cognizant of potential preemption challenges, to restrict the use of face coverings and anonymous uniforms by law enforcement officers.”).

Based on the information you provided, the resolution you asked about appears to satisfy that condition. The resolution sets out the ANC's own view on political violence and commitment to peaceful dialogue; urges District, state, and federal officials to pass laws to protect people from political violence; and encourages local residents to participate in democracy. Although the resolution is motivated by an incident that occurred outside the District, it is reasonable for the ANC to conclude that political violence affects or could in the future affect residents in the Commission area.

Sincerely,

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(AL-25-489 B)