



GOVERNMENT OF THE DISTRICT OF COLUMBIA
Dupont Circle Advisory Neighborhood Commission 2B

October 14, 2010

Congresswoman Eleanor Holmes Norton
529 14th Street, N.W., Suite 900
Washington, DC 20045

Re: Incorporating an ANC Exception to the Hatch Act

Dear Congresswoman Norton,

At its regular meeting on October 13, 2010, the Dupont Circle Advisory Neighborhood Commission (“ANC 2B” or “Commission”) discussed the limitations of the Hatch Act as applied to ANC Commissioners. With eight of nine Commissioners present, a quorum at a duly-noticed public meeting, the Commission approved the following resolution by a vote of (8-0):

Whereas in October 2009, ANC 2B passed a resolution encouraging Delegate Eleanor Holmes Norton and Congress to allow D.C. to pass its own D.C.-specific Hatch Act which would exclude ANC Commissioners from coverage;

Whereas currently the Hatch Act restricts D.C. Government officials from, among other things, hosting a fundraiser for a partisan candidate, raising funds for a partisan candidate, or being a candidate for partisan office;

Whereas the Hatch Act includes an explicit exception for certain elected D.C. officials, including the Mayor and the Council, but not ANC Commissioners;

Whereas the U.S. Office of Special Counsel has thus interpreted the Hatch Act to apply to ANC Commissioners, despite there being admittedly no enforcement mechanism against ANC Commissioners;

Whereas it is nonsensical to apply the Hatch Act’s restrictions on fundraising and campaigning to any elected officials, including ANC Commissioners;

Whereas the November 2010 D.C. ballot will include a referendum to make the D.C. Attorney General an elected office, meaning the District would have another city-wide, partisan, elected official;

Whereas if the Attorney General measure passes, Congress will have to amend the Hatch Act to exclude this new elected office from coverage, and this provides an opportunity to also amend the Act to explicitly exclude ANC Commissioners;

Therefore be it resolved that ANC 2B respectfully urges Delegate Norton and Congress to amend the Hatch Act to explicitly exclude elected ANC Commissioners from coverage.

I am the Commission's representative on this issue, and I can be reached at will.stephens@dupontcircleanc.net or 202-527-9522. Please feel free to contact me if you have any questions, or if I can be of any assistance to your office on this matter. Thank you for all your work to further the self-determination of the District and its residents. I hope this will be an opportunity to take one more step in the right direction.

ON BEHALF OF THE COMMISSION.

Sincerely,

A handwritten signature in blue ink that reads "William F. Stephens". The signature is fluid and cursive, with the first name "William" and last name "Stephens" clearly legible.

Will Stephens, Chair

CC: Council of the District of Columbia
Mayor Adrian Fenty
Advisory Neighborhood Commissions