



OFFICE OF THE DISTRICT OF COLUMBIA AUDITOR

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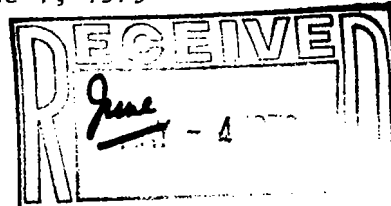
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MATTHEW S. WATSON
DISTRICT OF COLUMBIA AUDITOR

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June 1, 1979

The Honorable William Spaulding
Chairman
Government Operations Committee
First Floor
District Building
Washington, D.C. 20004



Dear Mr. Spaulding:

This is in response to your letter of May 3, 1979 concerning ANC letterhead. I am not aware of any regulations covering use of official ANC letterhead. I should note that two problem areas are presented. First, use of letterhead which identifies the entire commission. And second, use of letterhead identifying only a single commissioner. Commissioner Moore's letter which you enclosed is on letterhead of the former type. Commissioner Gurley's letter is on the latter type.

I do not believe that there can be any regulation on the use of letterhead identifying only a single commissioner without infringing the First Amendment to the Constitution.

With regard to letterhead identifying an entire commission, there is a question as to whether there could be regulations to avoid possible confusion as to whether the views expressed are those of the entire commission or just of the signer. The Councilor individual commissions could restrict use of their letterhead to only statements of officially approved commission positions.

I do not believe, however, that such a restriction would be wise. First, it would require review of all letters and possibly come close to censorship. Second, it would restrict the effectiveness of commissioners in dealing with their constituents when the possibility of confusion is only theoretical. Although one may disagree with statements of individual commissioners, any attempt to restrict this communication would be likely to do more harm than good.

Sincerely,

Matthew S. Watson
District of Columbia Auditor