
CHAPTER 9. ASSISTANT SECRETARY FOR FAIR HOUSING AND EQUAL
OPPORTUNITY

Section 1. General

- 9-1. ASSISTANT SECRETARY FOR FAIR HOUSING AND EQUAL
OPPORTUNITY. The Assistant Secretary for Fair Housing
and Equal Opportunity (FHEO) advises the Secretary on
policies and issues affecting equal opportunity in
housing, community development and facilities,
employment, business opportunities, and other matters
relating to civil rights; and in relationship with
minority groups and civil rights organizations. The
Assistant Secretary is responsible for:
- a. Administering the Department's responsibilities
for developing and implementing fair housing and
equal opportunity programs, including programs of
enforcement of: Title VIII of the Civil Rights
Act of 1968, (the Federal Fair Housing Law); Title
VI of the Civil Rights Act of 1964; Section 109 of
the Housing and Community Development Act of 1974;
Section 504 of the Rehabilitation Act of 1973; the
Age Discrimination Act of 1975; Executive Orders
1063, 11478, 12259, and Section 3 of the Housing
and Urban Development Act of 1968.
 - b. Exercising leadership in the area of equal
opportunity and civil rights and coordinating all
related Departmental activities.
 - c. Implementing a Departmentwide program to increase
opportunities for training and employment for
lower-income persons residing in the Metropolitan
area of a HUD-assisted project.
 - d. Reviewing, monitoring, and evaluating all Equal
Employment Opportunity (EEO) affirmative action
policies, procedures, and programs for statutory
and regulatory compliance. The evaluation
functions are carried out in cooperation with the
Assistant Secretary for Policy Development and
Research (PD&R) as part of PD&R's Departmentwide
responsibility for supervision, coordination, and
review of all program evaluation activities.

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- e. Serving as the Director of Equal Employment Opportunity (EEO) with responsibility for EEO complaint processing including the issuance of final decisions. Administering the EEO pre-complaint counseling program and evaluating the HUD EEO program and its implementation.
 - f. Representing the Department in the administration of equal opportunity programs with other governmental agencies and private groups.
 - g. Evaluating the performance of state and local fair housing law enforcement agencies, determining their substantial equivalency for processing Title VIII case referrals, and providing monitoring, training, technical assistance, and grants to these agencies.
 - h. Making final decisions in administrative matters arising under: Title VIII of the Civil Rights Act of 1968; Title VI of the Civil Rights Act of 1964; Executive Order 11063; Section 3 of the Housing and Community Development Act of 1968; Section 109 of the Housing and Community Development Act of 1974; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975; HUD Affirmative Fair Housing Marketing compliance procedures; and HUD contract provisions relating to equal employment opportunity.
 - i. Providing protection for the public interest in the integrity and security of programs by conducting a positive compliance program to prevent fraud, waste, and mismanagement. Closing audit findings and excluding from further participation those determined not to be responsible by debarment, suspension, or other administrative action.
 - j. Collecting claims and debts due to HUD arising from the operations of the assigned functions and reporting those uncollected to the Departmental Claims Collection Officer.
 - k. Exercising functional supervision over Fair Housing and Equal Opportunity staff in Regional

and Field Offices and the following offices in Headquarters:

General Deputy Assistant Secretary
Deputy Assistant Secretary for Enforcement
and Compliance
Office of Fair Housing Enforcement and Section 3
Compliance
Office of HUD Program Compliance
Office of Voluntary Compliance
Deputy Assistant Secretary for Operations and
Management
Office of Program Standards and Evaluation
Office of Management and Field Coordination

9-2. GENERAL DEPUTY ASSISTANT SECRETARY FOR FAIR HOUSING AND EQUAL OPPORTUNITY. The General Deputy Assistant Secretary assists the Assistant Secretary in the performance of all duties and responsibilities and serves as Acting Assistant Secretary in the absence of the Assistant Secretary. On behalf of the Assistant Secretary, the General Deputy is responsible for the following major functions:

- a. Hearings or administrative meetings pursuant to Title VIII of the Civil Rights Act of 1968 and assisting the Assistant Secretary in making final decisions in all administrative matters arising under Title VIII including equivalency of state and local Fair Housing Laws, Title VI, Executive Order 11063, Section 3, as amended, Section 109 and contract provisions relating to equal employment opportunity;
- b. Inter-governmental activities, including liaison with all national organizations and groups to provide policy direction and ideas, and to establish effective working relationships where divergent viewpoints are involved or major conflict exists regarding the applicability of civil rights laws and authorities in national issues;
- c. FHEO inter-office task-force and Departmental committee efforts dealing with special planning or program development matters that cross

jurisdictional lines and which involve intradepartmental policy;

- d. Liaison with all Program Assistant Secretaries and other officials reporting to the Secretary regarding Public Affairs, Labor Relations, Legislation and Congressional Relations; and
- e. Responsibilities of the Deputy Director of Equal Employment Opportunity with regard to Departmental matters under Executive Order 11478.

Section 2.

Deputy Assistant Secretary for Enforcement and Compliance

- 9-3. OFFICE OF THE DEPUTY ASSISTANT SECRETARY FOR ENFORCEMENT AND COMPLIANCE. This office develops, directs, and administers programs to provide enforcement of civil rights statutes, Executive Orders, and directives designed to oversee complaint processing and compliance reviews. Specific enforcement responsibilities include: Title VIII of the Civil Rights Act of 1968; Section 109 of the Housing and Community Development Act of 1974; Title VI of the Civil Rights Act of 1964; Executive Orders 11063 and 11625; the administrative enforcement of equal employment opportunity contract clauses; Section 504; and the Age Discrimination Act. This office determines enforcement strategies, standards, and guidelines; recommends legislative proposals to carry out enforcement responsibilities; monitors, evaluates, and provides technical assistance to Regional and Field Offices; administers the state and local equivalency process, and develops and maintains FHEO Enforcement Data Systems and provides training relative to those systems.
- 9-4. OFFICE OF FAIR HOUSING ENFORCEMENT AND SECTION 3 COMPLIANCE. This office enforces Title VIII of the Civil Rights Act of 1968, Public Law 90-284, Executive Order 11063, and Section 3 of the Housing and Urban Development Act of 1968. The office plans, develops, and executes mechanisms for implementing the enforcement authority of the Secretary. The office provides administrative guidance concerning procedures

housing practices, grants substantial equivalency, and develops and implements memoranda of understanding relating thereto. The office reviews and evaluates Regional Office final investigation reports, conciliation reports, and recommendations for sanctions, and makes recommendations to the Office of General Counsel for referral to the Department of Justice for pattern or practice suits where appropriate. The office serves as the contact point with the Office of General Counsel for all matters relating to Title VIII administrative enforcement, litigation, and efforts relating to Title VIII enforcement activity and complaint enforcement; it develops and implements memoranda of understanding affecting Title VIII enforcement responsibilities of other Federal agencies, and assists in the planning of joint agency Title VIII complaint investigations and other enforcement efforts. The office provides technical assistance to national, state, and local fair housing groups in the development and execution of fair housing compliance and enforcement programs, develops programs to provide technical assistance to private attorneys and other legal associations and institutions that litigate fair housing matters, and to the housing industry, groups in the brokerage services, financial services, and advertising organizations. The office provides overall technical assistance to and evaluation of Regional staff.

- 9-5. OFFICE OF HUD PROGRAM COMPLIANCE. This office provides compliance and enforcement activities under Title VI of the Civil Rights Act of 1964, the HUD contract clause prohibiting discrimination in employment, Section 109 of the Housing and Community Development Act of 1974, and Executive Order 11478. The office develops enforcement standards and guidelines for processing complaints and conducting compliance reviews, and develops standards for affirmative action. The office works with other Federal departments and agencies with responsibility for civil rights administration or enforcement and the program staffs, in cases involving litigation. The office provides assistance to Regional Offices in evaluation of public agencies receiving financial assistance from the Department.

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- 9-6. OFFICE OF VOLUNTARY COMPLIANCE. This office is responsible for the development and administration of

voluntary programs in support of fair housing. It seeks to increase the efforts of state and local government and private organizations in such activities by establishing community-level public/private partnerships, such as voluntary Affirmative Marketing Agreements, the New Horizons Program, and Community Housing Resource Boards. This office also develops and implements national outreach strategies and programs to provide the general public and relevant national and local interest groups with fair housing information and technical assistance.

Section 3.

Deputy Assistant Secretary for Operations and Management

- 9-7. OFFICE OF THE DEPUTY ASSISTANT SECRETARY FOR OPERATIONS AND MANAGEMENT. This office develops and monitors systems for the fiscal, information, and management accountability for FHEO programs. It is responsible for managing resource effectiveness; disseminating FHEO (non-program) policy, and procedural information; managing internal personnel administration; coordinating and distributing handbooks, regulations, and issuances; and for preparing and operating the FHEO budget. The office is responsible for developing and implementing the Field performance evaluation system, evaluating FHEO Regional and Field Office operations to assess management and technical performance and Management Plan goals achievement; and the coordination, evaluation, and overall implementation of Fair Housing and Equal Opportunity programs at the Regional level; and for reviewing and following up on evaluations of Regional/Field FHEO activities conducted by the Office of the Inspector General, Office of Personnel Management, and General Accounting Office. The office is responsible for providing technical assistance, monitoring, and evaluating the Equal Employment Opportunity (EEO) Affirmative Action program throughout the Department.

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- 9-8. OFFICE OF PROGRAM STANDARDS AND EVALUATION. This office develops and coordinates long-range strategies, research programs, and evaluation mechanisms with respect to the overall FHEO program and the Department's Fair Housing and Equal Opportunity

obligations. The office recommends administrative changes to achieve equal opportunity in HUD programs, reviews legislative proposals, and develops research programs on long-range policy issues. The office reviews and analyzes programs, policies, and legislative proposals, and recommends new or improved policies and programs for the provision of opportunities, services, and facilities for minorities, women, and the disadvantaged. The office develops and reviews proposed new program policies, regulations, and recommendations; develops and maintains an overall program effectiveness and impact evaluation system; and provides technical services and training to Field Offices and to offices of other Assistant Secretaries.

- 9-9. OFFICE OF MANAGEMENT AND FIELD COORDINATION. This office provides all administrative and management services required to operate Fair Housing and Equal Opportunity Programs. It prepares and administers the Fair Housing and Equal Opportunity budget, develops and implements management information and control systems, coordinates equal opportunity training for Regional staff and prepares training materials to be used by Regional Offices in training Field Office staff. The office evaluates the utilization of Regional staff resources and the performance of Regional Office training, monitoring, and evaluation of Field staff; develops and administers administrative support services for management of issuances, delegations, regulations, reports, forms, staff development, personnel management, internal FHEO affirmative action matters, office services, HUD-AFGE grievances, correspondence management, central files, personnel actions, and internal audits and investigations, except for investigations of EEO complaints filed by HUD employees or applicants; develops and controls FHEO Affirmative Action Plan; coordinates programs and activities related to measurement and monitoring of Management Plan

objectives and advises on the potential for attainment of goals; provides Field Offices with administrative guidance on rules, regulations, standards, and program guidelines relating to FHEO responsibilities; interpretes FHEO policy on key issues to ensure basic uniformity of policy implementation among Field Offices; and evaluates Field Office operations to

assess management and technical performance and goal achievement.