

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SALARIES AND EXPENSES, HOUSING AND URBAN DEVELOPMENT

BUDGET ACTIVITY 6: FAIR HOUSING AND EQUAL OPPORTUNITY

The consolidated discussion for the appropriation "Salaries and Expenses, HUD" is shown in Part 3 of the Justifications. All data are presented on a comparable basis for the 3 fiscal years: 2001, 2002, and 2003.

SCOPE OF ACTIVITY

The Office of Fair Housing and Equal Opportunity's (FHEO) mission is to enforce the Fair Housing Act and other civil rights laws to ensure the right of equal housing opportunity and free and fair housing choice without discrimination based on race, color, religion, sex, national origin, disability or family composition.

The Assistant Secretary for Fair Housing and Equal Opportunity (FHEO) administers and enforces major legislation that ensures equal access to housing, guarantees equal opportunity in all HUD programs and prohibits, to a limited extent, discrimination in employment with respect to HUD programs.

Title VIII of the Civil Rights Act of 1968 (Fair Housing Act) prohibits discrimination in the sale, rental and financing of dwellings based on race, color, religion, sex or national origin. Title VIII was amended in 1988 (effective March 12, 1989) by the Fair Housing Amendments Act, which:

- expanded the coverage of the Fair Housing Act to prohibit discrimination based on disability or on familial status (presence of child under age of 18, and pregnant women);
- established new administrative enforcement mechanisms with HUD attorneys bringing actions before administrative law judges on behalf of victims of housing discrimination; and
- revised and expanded Justice Department jurisdiction to bring suit on behalf of victims in Federal district courts.

In connection with prohibitions on discrimination against individuals with disabilities, the Act contains design and construction accessibility provisions for certain new multifamily dwellings developed for first occupancy on or after March 13, 1991. The 1988 amendments have greatly increased the Department's enforcement role. First, the newly protected classes have proven significant sources of new complaints. Second, HUD's expanded enforcement role took the Department beyond investigation and conciliation into the mandatory enforcement area. The Office of Fair Housing and Equal Opportunity (FHEO) investigate complaints filed with HUD. If the complaint is not successfully conciliated then FHEO determines whether reasonable cause exists to believe that a discriminatory housing practice has occurred. When reasonable cause is found, the parties to the complaint are notified by HUD's issuance of a Determination, as well as a Charge of Discrimination, and a hearing is scheduled before a HUD administrative law judge.

The Fair Housing Initiatives Program (FHIP) was established by Section 561 of the Housing and Community Development (HCD) Act of 1987, as amended, to authorize the execution of grants, contracts, or cooperative agreements with State or local government agencies, public or private, for-profit and not-for-profit organizations, institutions or other entities to support their efforts to prevent or eliminate discriminatory housing practices. FHIP supports projects and activities designed to enhance compliance with the Act and substantially equivalent State and local laws prohibiting housing discrimination. These activities include programs of enforcement, voluntary compliance, and education and outreach. The programs provide a coordinated approach to:

1. Further the purposes of the Fair Housing Act;

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2. Guarantee the rights of all Americans to seek housing in an open market, free of discrimination; and
3. Inform the American citizenry of its rights and obligations under the Fair Housing Act.

Since 1980, the Department has provided financial assistance under the Fair Housing Assistance Program (FHAP) to State and local agencies administering substantially equivalent fair housing laws and ordinances. When the Fair Housing Amendments Act was enacted in September 1988, all State and local agencies were required to amend their respective laws and ordinances if they wished to obtain substantial equivalency certification with the amended Federal law. The Fair Housing Act provided that the Department cooperate with and render technical assistance to State and local agencies formulating or carrying out programs to prevent or eliminate discriminatory housing practices. Section 810 of the Fair Housing Act specifically encourages cooperation with State and local agencies charged with the administration of State and local fair housing laws. FHAP and the substantial equivalency certification process both serve to further fair housing by providing financial assistance and by encouraging State and local government to enact and enforce legislation designed to ensure fair housing. The Department provides extensive assistance to help State and local fair housing enforcement agencies obtain certification under the Fair Housing Act through training, legal and administrative technical assistance, issuance of written guidelines, participation at meetings and conferences, and review of proposed legislation.

The Business and Operating Plan directly correlates with the Department's four strategic goals established to carry out its mission. FHEO programs contribute to all of these goals and will continue to develop and implement programs that:

- ensure Equal Opportunity in Housing for All Americans;
- promote Self-Sufficiency and Asset Development of Families and Individuals;
- improve Community Quality of Life and Economic Vitality; and
- ensure the Public Trust in HUD.

FHIP's emphasis on promoting homeownership and the benefits that flow from it, is helping the Department achieve these overall goals, especially meeting the specific strategic objectives that "housing discrimination is reduced;" "disparities in homeownership rates are reduced among groups defined by race, ethnicity, and disability status;" "poor and disadvantaged families and individuals become self-sufficient and develop assets;" and "the elderly and persons with disabilities achieve maximum independence."

All of the strategic objectives contained in the APP will be positively affected by the Fair Housing Partnership through empowering the public, encouraging networks of State and local fair housing enforcement agencies working in unison with private fair housing organizations, and encouraging a fair housing presence in places where there is little or no such presence. The Department expects that an informed and educated public, housing/real estate industry, and mortgage banking and financing industry, along with aggressive and effective enforcement, will assist in affirmatively furthering fair housing where the outcome of such actions will go a long way toward eliminating housing discrimination.

The attached charts display detailed staffing and workload estimates based on the Resource Estimation and Allocation Process (REAP) baseline data.

STAFFING

Fair Housing is a significant issue across the nation and one of the primary missions of HUD. Investigations are the primary activity in the field Offices. The remaining workload becomes secondary in an effort to ensure that investigations are completed within the 100-day time period. As the major priority of FHEO, the process of performing investigations is consuming a large portion of field staff time. The findings of the Resource Estimation and Allocation Process (REAP) study, suggested additional FTEs that would be beneficial to complete investigations, administer the FHIP/FHAP programs

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and allow for dedicated staff to handle all program reviews for CPD, PIH and Housing. The study also supports the March 8, 1996, Price Waterhouse business process redesign study of HUD procedures related to the implementation of the Fair Housing Act. The report concluded in part that staffing resources for Title VIII housing discrimination enforcement and compliance was insufficient to carry out FHEO's mission efficiently and effectively.

FHEO has in large part been successful in re-engineering itself into a more effective organization providing better customer service. However, the compliance and enforcement responsibilities required by the Fair Housing Act and other civil rights legislation are extensive and far reaching and require a consistent professional and broad response. Coupled with our concern to provide a robust response to the compliance and enforcement needs of the community and housing industry groups is a need to infuse the organization with younger staff. A recent HUD human resources report entitled "Succession Planning" disclosed that over 60 percent of the FHEO employees are eligible for retirement in the next 3 years. This is the highest percentage in the Department. The vast majority of those eligible to depart will be Equal Opportunity Specialists. This category of staff carry out the most basic civil rights enforcement and compliance functions of the agency, and are the backbone of the FHEO organization. If FHEO is to continue to perform effectively under its current goals and to take on increased activities evolving from 21st century forms of discrimination, such as hate on the Internet, predatory lending, and insurance scams, increased staffing is essential.

While the management reform procedures FHEO established have in many areas been addressed, the reform plan was presented as a total package of interdependent parts. The aspect of the package that has never been realized is the need for staffing resources in the Field and in Headquarters. The reform plan anticipated that all of the enforcement and program compliance services of FHEO would be provided in each of our locations to provide a full range of services in an increased number of locations across the country. While field office Hubs assure that these services are available to all citizens, sufficient staffing would ensure that better customer service could be provided using local approaches and local issues and concerns.

WORKLOAD

The principal workload of Fair Housing and Equal Opportunity consists of processing and investigating housing discrimination complaints, implementing civil rights requirements in HUD programs, conducting compliance reviews, managing grants to fair housing organizations, reimbursing fair housing agencies for investigating housing discrimination complaints, and implementing voluntary programs.

1. HEADQUARTERS

The Assistant Secretary and FHEO program offices are responsible for administering and enforcing major legislation that ensures equal access to housing, guarantees equal opportunity in all HUD programs and prohibits, to a limited extent, discrimination in employment with respect to HUD programs.

2. FIELD

The Fair Housing and Equal Opportunity Hub combines the fair housing enforcement and the program operations and compliance activities. The functions of the Hub are basically to: (1) work consistently and cooperatively to carry out the mission of civil rights protection in program delivery and enforcement responsibilities as defined by statute; (2) ensure adequate and appropriate distribution of resources throughout the geographic area to allow for the processing of general and specialty functions; (3) to serve as the point of contact on all major policy issues regarding HUD's civil rights responsibilities within each geographic area; and (4) serve as point of appeals, in consultation with Headquarters, for all Civil Rights Related Program Requirements and Compliance recommendations and/or decisions made.

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Figures for both the Office of Fair Housing and Equal Opportunity and the Office of Equal Employment Opportunity, a sub-component described below, are reflected in this table.

	ACTUAL 2001	ENACTED 2002	ESTIMATE 2003	INCREASE + DECREASE - 2003 vs 2002
	(Dollars in Thousands)			
Public Information Services ...	\$54	\$55	\$55	....
Technical Services	\$1,627	\$1,706	\$1,706	....
General Support	\$194	\$197	\$197	....
Total.....	\$1,875	\$1,958	\$1,958	....

Public Information Services. Funds will not be available during fiscal years 2002 and 2003 to allow FHEO to continue its efforts in updating, developing, disseminating information and providing assistance on fair housing issues to the public. The following initiatives will remain outstanding for fiscal years 2002 and 2003 as a result of limited funds:

- Education/Outreach LEP Guidance which would entail a campaign developed and designed to reach out to LEP communities through the United States. The campaign would make both HUD's "federally conducted program plans" and "Title VI policy guidance" widely available to LEP advocates and communities.
- Other Services would include distribution to the Fair Housing Initiative Program's Notice of Funding Availability and accommodate the submission of the FHIP and FHAP Program work products, Section 3 reports, and the Regional Opportunity Counseling Programs and the increase in user requests based on greater familiarity with the services provided.

Technical Services. Funds will not be available during fiscal years 2002 and 2003 to allow FHEO to fund much needed technical assistance services. The following technical assistance services will remain outstanding for fiscal years 2002 and 2003 as a result of limited funds:

- Section 504 and ADA Technical Assistance which would include development of technical assistance materials and direct assistance through a series of seminars in major cities, and through a variety of other methods such as use of the Internet, mailings, and workshops at conferences of housing provider groups. This Assistance would be earmarked for Public Housing, Assisted Housing Providers, CDBG grantees, and grantees under other CPD programs such as HOME, shelter Plus Care, etc. recipients.
- Architectural Consulting Services would support the fair housing enforcement requirements like the implementation of the Department's congressional mandated education and outreach plan on the Fair Housing Act with regards to accessibility requirements and the Departmental congressional requirements addressing guidelines, review and approval of building plans under 42 USC 3604(f)(5).

General Support. Level funding will allow for current support for FHEO's programs and operational activities. Services provided would consist of court reporters, public service announcements, and advertisements.

DEPARTMENTAL EQUAL EMPLOYMENT OPPORTUNITY

SCOPE OF ACTIVITY

The Office of Departmental Equal Employment Opportunity (ODEEO) was established in 1995, and is a sub-component of the Office Fair Housing and Equal Opportunity. The ODEEO is responsible for planning and implementing the Department's Equal Employment Opportunity/Affirmative Employment (EEO/AE) activities pursuant to the HUD regulation at 24 CFR Part 7 and Federal Regulation at 29 CFR 1614. It is charged with monitoring HUD's Affirmative Employment Program (AEP) and providing guidance in the development and implementation of Program Offices' AEP Plans. The ODEEO is responsible for implementing the Department's Alternative Dispute Resolution (ADR) Program, which is required by the Equal Employment Opportunity Commission's (EEOC) Regulation at 29 CFR 1614.102(b)(2). This Office also processes complaints of employment discrimination filed by HUD employees, former employees and applicants for employment under Executive Order 11478, Title VII, the Age Discrimination in Employment Act, as amended, the Rehabilitation Act, and the Equal Pay Act, in accordance with Equal Employment Opportunity Commission (EEOC) and Departmental regulations and EEOC Management Directive MD-110.

The Office is composed of an Equal Employment Opportunity Division (EEOD), Alternative Dispute Resolution Division (ADR), and an Affirmative Employment Division (AED). The staff is comprised of Equal Employment/Affirmative Employment (EE/AE) Specialists in Headquarters, support personnel, and permanent full-time EEO Counselors in the Field and one in Headquarters. This staff is supplemented with collateral duty EEO Discrimination Complaint Managers, Affirmative Employment Program Managers and Diversity Managers located in the HUD Program Offices.

The attached charts display detailed staffing and workload estimates based on the Resource Estimation and Allocation Process (REAP) baseline data.

WORKLOAD

The Equal Employment Opportunity Division is responsible for: (a) EEO complaint investigation and adjudication; (b) compliance and enforcement activities under Executive Order 11478; and (c) enforcement of Equal Employment Opportunity Commission (EEOC) and Department regulations. This Division has primary responsibility for EEO complaint processing, including complaint receipt, assignment of the complaints for investigation, review of the investigative file, writing the Final Decision and resolving EEO matters through voluntary settlement. It also coordinates and supervises the Department's EEO counseling activities, monitors complaint processing by the EEO Officers, and provides technical assistance and training. It is anticipated that in the coming fiscal year, the Department will process 266 EEO complaints.

The Alternative Dispute Resolution (ADR) Division is responsible for: reducing the number of HUD EEO cases; reducing expenses incurred through the traditional administrative complaint process; reducing employees'/managers' time spent in litigation and away from the job; improving overall organizational ability to resolve conflict, at the lowest level possible; improving morale and enhancing workplace relationships; improving productivity and performance; and training HUD staff, managers and supervisors on ADR practices and principles. The program utilizes contract and Federal Shared Neutral mediators.

The Affirmative Employment Division is responsible for the management of HUD's Affirmative Employment Program (AEP). This involves the provision of guidance, training and technical assistance to the EEO Officers and their AEP Managers in the development and implementation of AEP Plans for the employment of women, minorities and persons with disabilities. This involves:

- coordinating with the Office of Human Resources (OHR) in developing recruitment and outreach strategies to attract minorities, women and persons with disabilities to the Department;
- managing the Department's Diversity Program and interfacing with national groups such as the NAACP and LULAC;

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- providing training and technical assistance in implementing the Managers' Guide for Persons with Disabilities, for the recruitment, hiring and employment of persons with disabilities, including researching and suggesting methods of providing reasonable accommodation to disabled persons seeking positions and those already employed by the Department;
- managing the Applicant Flow System to determine whether the applicant pool for the Department's positions is sufficiently representative of the Civilian Labor Force and whether applicants are being recruited and selected to meet the Department's AEP goals; and
- analyzing data and preparing reports on the Department's AEP progress for the Equal Employment Opportunity Commission, the Office of Personnel Management (OPM) and HUD's management staff.

TRAVEL

The travel figures for this activity are reflected above in the posted Office of Fair Housing and Equal Opportunity table.

The travel funding requested for fiscal year 2003 will enable the ODEEO to provide quality services in furtherance of its goal to maintain the Public Trust. It will enable staff to obtain regulatory required training and certification and allow attendance at annual conferences to keep abreast of the latest developments in procedures, laws and interpretations related to EEO. The Director of ODEEO will travel to Field Offices to meet with the Regional Directors to provide technical assistance and guidance in support of the administration of the Department's EEO Program. EE Specialists will travel within their jurisdictions to monitor EEO complaint processing activities, monitor performance of contract investigations and alternative dispute resolution (ADR) activities. Funding is required for travel to the Field to monitor and evaluate implementation of EEO/AE efforts as part of HUD's Management Plan. Implementation of the ADR Program requires ADR staff to travel to the Field for training and monitoring of the program. Finally, Affirmative Employment Division (AED) staff will be required to attend training conferences sponsored by EEOC, OPM and HUD contractors to be fully briefed on the latest techniques for preparing Affirmative Employment Plans and methods of effecting Affirmative Action and Managing Diversity. In order for the Diversity Program to be successful, it must be administered through the use of effective strategies for the development and management of qualified minorities, women and persons with disabilities.

CONTRACTS

The contracts figures for this activity are reflected above in the posted Office of Fair Housing and Equal Opportunity table.

Technical Services. Funding is requested in fiscal year 2003 for EEO contract investigations and for the continuation of the Department's Diversity Program. In addition to the contracting of investigations, funding is requested for contracting of the preparation of Final Decisions (FDs) and for Alternative Dispute Resolution (ADR) activities needed to reduce the backlog of EEO complaints. The EEOC has mandated in their latest regulations that all agencies have an ADR Program in place. Funding is included for the training of all managers, supervisors and staff on the use of HUD's ADR Program. It is the policy of the Department to use ADR in the settlement of all appropriate workplace disputes, consistent with ADR's core principles of neutrality, confidentiality, voluntariness and enforceability. Additionally, funding is needed for ODEEO to maintain and enhance its automated complaint and correspondence tracking system and to integrate applicant flow data.

PERFORMANCE MEASURE

Strategic Goal 7: Ensure equal opportunity and access to housing.

Strategic Objective 7.1 Reduce housing discrimination

Indicator 7.1.3 Provide protected classes under the Federal Fair Housing Act with increased access to sale and rental housing without discrimination by completing at least 600 fair housing conciliation/settlement agreements in fiscal year 2003.

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Indicator 7.1.8 The percentage of fair housing complaints aged over 100 days will decrease by 5 percentage points from the fiscal year 2002 level of the HUD inventory.

Detail of Fair Housing and Equal Opportunity Staff Requirements

Workload Guideline	Workload Indicator	----- Fiscal Year 2002 -----				----- Fiscal Year 2003 -----			
		Underfunded Workload/ Allocation	Projected Accomplishment	Projected Unit Cost (Hrs)	FTE	Underfunded Workload/ Allocation	Projected Accomplishment	Projected Unit Cost (Hrs)	FTE
Headquarters Employment (FHEO)									
Immediate Office of Assistant Secretary FHEO									
Provide Overall Guidance to FHEO Activities in HQ and Field	NA	2.6	...	...	5.4	2.6	...	...	5.4
Subtotal					5.4				5.4
DAS for Enforcement & Programs									
Provide Guidance for Program Enforcement		0.8			4.0	0.8			4.0
Fair Housing Enforcement									
Provide Enforcement Management and Oversight	NA	0.4	...	...	6.0	0.4	...	...	6.0
Perform Field Office Monitoring and Oversight (Title VIII Program)	Number of Field Office Reviews Completed		104	102.00	5.1		104	102.00	5.1
Conduct Complaint Investigations	Number of Cases Completed		80	44.20	1.7		80	44.20	1.7
Provide Title VIII Technical Assistance	NA		...	...	6.2		...	...	6.2
Develop Program Compliance and Disability Rights Policy	NA		...	...	6.3		...	...	6.3
Perform Disability Rights Technical Assistance and Reviews	Number of Requests for Technical Assistance (Hotline Calls)		1,800	3.10	2.7		1,800	3.10	2.7
Subtotal					32.0				32.0
Fair Housing Grant Programs									
Administer FHIP Grants Management Process	Number of FHIP Grant Applications Reviewed		197	48.57	4.6		197	48.57	4.6
Manage FHIP Grants Awards Process	Number of FHIP Grants Awarded		65	179.20	5.6		65	179.20	5.6
Manage FHAP/SE Grants Process	Number of FHAP/SE Grants		100	87.36	4.2		100	87.36	4.2

Detail of Fair Housing and Equal Opportunity Staff Requirements

Workload Guideline	Workload Indicator	----- Fiscal Year 2002 -----				----- Fiscal Year 2003 -----			
		Underfunded Workload/ Allocation	Projected Accomplishment	Projected Unit Cost (Hrs)	FTE	Underfunded Workload/ Allocation	Projected Accomplishment	Projected Unit Cost (Hrs)	FTE
Manage Program Standards Activities	NA	0.6	...	...	6.0	0.6	...	...	6.0
Subtotal					20.4				20.4
FHEO Policy and Program Evaluation									
Develop FHEO Policy and Provide Program Evaluation	NA	2.0	...	...	5.0	2.0	...	...	5.0
Subtotal					5.0				5.0
Economic Opportunity Activities									
Monitor Compliance Reviews	Number of 60002 summary reports reviewed		1,000	8.53	4.1		1,000	8.53	4.1
Manage Section 3 Program	NA	2.0	...	...	5.9	2.0	...	...	5.9
Subtotal					10.0				10.0
Young Implementation Activities									
Conduct Young Implementation Compliance Reviews and Enforcement	Number of Compliance Reviews		39	506.13	9.5		39	506.13	9.5
Provide Young Implementation Technical Assistance, Outreach and Program Oversight	Number of PHAs Supported		70	169.37	5.7		70	169.37	5.7
Subtotal					15.2				15.2
Operations and Management Oversight									
Provide Overall Management and Oversight for FHEO Operations and Management	NA		...	...	5.0		...	...	5.0
Perform FHEO Field Oversight	Number of FHEO Field Offices		52	360.00	9.0		52	360.00	9.0
Provide FHEO System Development Administration and Technical Assistance	Number of Staff Supported		137	129.05	8.5		137	129.05	8.5

Detail of Fair Housing and Equal Opportunity Staff Requirements

Workload Guideline	Workload Indicator	----- Fiscal Year 2002 -----				----- Fiscal Year 2003 -----			
		Underfunded Workload/ Allocation	Projected Accomplishment	Projected Unit Cost (Hrs)	FTE	Underfunded Workload/ Allocation	Projected Accomplishment	Projected Unit Cost (Hrs)	FTE
Perform FHEO Correspondence Management	NA		...	...	3.2		...	...	3.2
Perform FHEO Information Technology Planning and Program Management	NA		...	...	2.3		...	...	2.3
	Number of Staff Supported (HQ &Field)								
Provide FHEO Human Resources Management			622	16.39	4.9		622	16.39	4.9
Perform FHEO Budget Operations	NA		...	...	4.4		...	...	4.4
Provide FHEO Administrative Services and Operations Management	NA	3.2	...	...	2.7	3.2	...	...	2.7
Subtotal					40.0				40.0
Headquarters Employment Total					128.0				
Field Employment (FHEO)									
FHEO Field Guidance and Direction									
Provide overall guidance and direction for Field FHEO activities	NA	4.0	...	...	42.0	4.0	...	...	42.0
Subtotal					42.0				42.0
FHEO Field Intake Processes									
Perform Field Fair Housing Compliant Intake Activities	Number of inquiries entered into TEAPOTS		6,239	25.80	77.1		6,239	25.80	77.1
Subtotal					77.1				77.1
Fair Housing Complaint Processing									
Conduct Field Title VII Investigations	Number of Complaints closed	184.0	1,990	190.96	165.2	184.0	1,990	190.96	165.2
Investigate Concurrently-Field Complaints	Number of Concurrent Field Complaints closed	100.0	881	63.51	23.8	100.0	881	63.51	23.8

Detail of Fair Housing and Equal Opportunity Staff Requirements

Workload Guideline	Workload Indicator	----- Fiscal Year 2002 -----				----- Fiscal Year 2003 -----				
		Underfunded Workload/ Allocation	Projected Accomplishment	Projected Unit Cost (Hrs)	FTE	Underfunded Workload/ Allocation	Projected Accomplishment	Projected Unit Cost (Hrs)	FTE	
Subtotal					189.0					189.0
FHEO Field Compliance Reviews										
Perform FHEO Field Compliance Reviews	Number of Compliance Reviews Completed	9.0	124	145.94	8.0	9.0	124	145.94	8.0	8.0
Subtotal					8.0					8.0
FHEO Monitoring of CPD Programs										
Perform FHEO Field Monitoring of CPD Programs	Number of CPD Grantees		1,008	41.39	20.0		1,008	41.39	20.0	20.0
Subtotal					20.0					20.0
FHEO Monitoring of PIH/Housing Programs										
Review Public Housing and Housing Programs for FHEO Compliance	Number of PHA's		3,400	16.50	26.9		3,400	16.50	26.9	26.9
Subtotal					26.9					26.9
Field Fair Housing Initiative Program - FHIP										
Perform FHIP Grant Management in the Field	Number of FHIP Grants		231	278.00	30.8		231	278.00	30.8	30.8
Subtotal					30.8					30.8
Field Fair Housing Assistance Program - FHAP										
Perform FHAP GTR/GTM Activities in the Field	Number of FHAP Grantees		92	365.00	16.1		92	365.00	16.1	16.1
Subtotal					16.1					16.1
Field Program Management and Administrative Support										
Provide FHEO General Program Management and Administrative Support in the Field	NA	7.0	...	...	77.0	7.0	...	...	77.0	77.0
Subtotal					77.0					77.0
Field Employment Total					486.9					486.9
Fair Housing and Equal Opportunity Grand Total					614.9					614.9

Detail of Fair Housing and Equal Opportunity Staff Requirements

Workload Guideline	Workload Indicator	----- Fiscal Year 2002 -----			----- Fiscal Year 2003 -----				
		Underfunded Workload/ Allocation	Projected Accomplishment	Projected Unit Cost (Hrs)	FTE	Underfunded Workload/ Allocation	Projected Accomplishment	Projected Unit Cost (Hrs)	FTE
Headquarters Employment (ODEEO)									
ODEEO General Direction	NA		...	...	3.0		...	...	3.0
	# of ODEEO employees supported								
ODEEO Administrative Support			28	224.00	3.0		28	224.00	3.0
Alternative Dispute Resolution Services	# of ADR cases in process		50	125.00	3.0		50	125.00	3.0
	# of EEO complaints in process								
ODEEO Counseling and Complaint Processing			266	125.60	16.0		266	125.60	16.0
Affirmative Employment Division	NA		...	...	3.0		..	..	3.0
Subtotal					28.0				28.0

Detail of Fair Housing and Equal Opportunity Staff Requirements

	Budget Estimate 2002	Estimate 2003	Increase + Decrease - 2003 vs 2002
Headquarters Employment			
Fair Housing and Equal Opportunity			
Immediate Office of Assistant Secretary FHEO and FHEO DASs	5.4	5.4	0.0
Fair Housing Enforcement	32.0	32.0	0.0
Fair Housing Grant Programs	20.4	20.4	0.0
FHEO Policy and Program Evaluation	5.0	5.0	0.0
Economic Opportunity Activities	10.0	10.0	0.0
Young Implementation Activities	15.2	15.2	0.0
Operations and Management Oversight	40.0	40.0	0.0
Office of Departmental Equal Employment Opportunity	28.0	28.0	0.0
Total	156.0	156.0	0.0

Field Employment

Fair Housing and Equal Opportunity			
FHEO Field Guidance and Direction	42.0	42.0	0.0
FHEO Field Intake Processes	77.1	77.1	0.0
Fair Housing Complaint Processing	189.0	189.0	0.0
FHEO Field Compliance Reviews	8.0	8.0	0.0
FHEO Monitoring of CPD Programs	20.0	20.0	0.0
FHEO Monitoring of PIH/Housing Programs	26.9	26.9	0.0
Field Fair Housing Initiative Program - FHIP	30.8	30.8	0.0
Field Fair Housing Assistance Program - FHAP	16.1	16.1	0.0
Field Program Management and Administrative Support	77.0	77.0	0.0
Total	486.9	486.9	0.0

Detail of Fair Housing and Equal Opportunity Staff Requirements

	Actual 2001	Budget Estimate 2002	FTE Estimate 2003	Increase + Decrease - 2003 vs 2002
Headquarters.....	157.0	156.0	156.0	0.0
Field	478.0	486.9	486.9	0.0
Total	635.0	642.9	642.9	0.0

HEADQUARTER EMPLOYMENT

With the overall Headquarters reduced FTE count of 6.1, the FHIP/FHAP Support Division is the most affected division within Headquarters.

The annual review and evaluation of FHIP applications requires assistance from Field Office personnel, other FHEO Headquarters staff, and external contractors. Other time-consuming FHIP functions include negotiating with FHIP Grant recipients, and developing and conducting FHIP training for grantees.

The FHAP and Substantially Equivalent (SE) workload often takes a backseat to the FHIP demands. This is due to the FHAP's designation as a formula grant program. The drain of FHAP resources for FHIP activities prevents the goal of outreach to non-participating states to become SE certified. The majority of the workload required by the FHAP is the review process to determine SE of FHAP applicants.

FIELD EMPLOYMENT

Fair Housing is a significant issue across the nation and one of the primary missions of HUD. Investigations are the primary activity in the Field Offices. The remaining workload becomes secondary in an effort to ensure that investigations are completed within the 100-day time period. As the major priority of FHEO, the process of performing investigations is consuming a large portion of field staff time.

Completing investigations within the 100-day time period is rarely achievable for the following reasons: people are difficult to track down for signatures; on-site work and interviews take time; and when attorneys are involved, the timeline is extended.

With the reduction of the FTE count to meet the ceiling, which resulted in 39.1 less FTEs, the field offices will have a very difficult time in completing investigations, administering the FHIP/FHAP programs and having dedicated staff to handle all program reviews for CPD, PIH, and Housing.

A 39.1 FTE reduction is unrealistic for FHEO to continue with its mission of reducing housing discrimination and follow up investigations on behalf of the stakeholders.

DEPARTMENTAL EQUAL EMPLOYMENT OPPORTUNITY

HEADQUARTERS EMPLOYMENT

EXPLANATION OF CHANGES FROM 2002 BUDGET ESTIMATE TO 2003 ESTIMATE

No change.

Immediate Office and Administrative Staff

It is the responsibility of the Office of Departmental Equal Employment Opportunity (ODEEO) to ensure that the Department meets the requirements set forth by the Equal Employment Opportunity Commission's (EEOC) regulations, laws, statutes, directives, guidelines and Congressional mandates to be in compliance and to provide technical assistance for legal sufficiency for Alternative Dispute Resolution (ADR) and Equal Employment Opportunity (EEO) cases

In addition, the Information Technology (computer) FTE provides efficient and effective methods to accomplish EEO goals and objectives to reduce the processing time of EEO complaints, provide current and accurate status reports and improve internal controls and accountability

Alternative Dispute Resolution Division

The EEOC requires all Federal agencies to have an Alternative Dispute Resolution (ADR) Program in place. The ADR is effective because it diffuses many EEO conflicts by bringing all parties together. The Department offers training and education on ADR to all HUD employees, managers, supervisors and other personnel with access to the program.

Equal Employment Opportunity Division

The Equal Employment Opportunity Division (EEO) is responsible for the processing of equal employment opportunity discrimination complaints both at the formal and informal stages. The Department is required to process EEO complaints within 270 days, as required by the statutes.

Affirmative Employment Division

The Affirmative Employment Division (AED) provides guidance, training and technical assistance to the Department's EEO Officers and AEP Managers. The AED must meet the applicable EEOC guidelines and directives that require Federal agencies to have dedicated/full-time positions responsible for the coordination of Special Emphasis Programs for this purpose.