FEDERAL HOUSING FINANCE AGENCY

[No. 2013–N–03]

No FEAR Act Notice

AGENCY: Federal Housing Finance Agency.

ACTION: Notice.

SUMMARY: The Federal Housing Finance Agency (FHFA or agency) is providing notice to all its employees, former employees, and applicants for employment about the rights and remedies that are available to them under the Federal antidiscrimination laws and whistleblower protection laws. This notice fulfills FHFA’s notification obligations under the Notification and Federal Employees Antidiscrimination Retaliation Act as implemented by Office of Personnel Management regulations.

FOR FURTHER INFORMATION CONTACT: Nancy Burnett, Acting Associate Director of the Office of Minority and Women Inclusion, Nancy.Burnett@fhfa.gov, (202) 649–3017; Brian Guy, Manager of EEO Services, Brian.Guy@fhfa.gov, (202) 649–3019; or Janice Kullman, Associate General Counsel, Janice.Kullman@fhfa.gov, (202) 649–3077 (not toll-free numbers), Federal Housing Finance Agency, 400 Seventh Street SW., Washington, DC 20024. The telephone number for the Telecommunications Device for the Deaf is (800) 877–8339.

SUPPLEMENTARY INFORMATION: On May 15, 2002, Congress enacted the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002, which is now known as the No FEAR Act (No FEAR Act), (Pub. L. 107–174). One purpose of the No FEAR Act is to require that Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws. In support of this purpose, Congress found that agencies cannot be run effectively if those agencies practice or tolerate discrimination.

The No FEAR Act also requires Federal agencies to inform Federal employees, former Federal employees, and applicants for Federal employment of the rights and protections available to them under Federal antidiscrimination and whistleblower protection laws.

Establishment of a New Independent Agency

Effective July 30, 2008, the Housing and Economic Recovery Act of 2008 (HERA), (Pub. L. 110–289), established FHFA as an independent agency of the Federal Government. HERA also combined the staffs of the Office of Federal Housing Enterprise Oversight (OFHEO), the Federal Housing Finance Board (FHFB), and the Government-Sponsored Enterprise mission office of the Department of Housing and Urban Development. Although each predecessor agency published its own No FEAR Act notice during 2006 (See 71 FR 63761 (Oct. 31, 2006) and 71 FR 70525 (Dec. 5, 2006)), FHFA is now publishing its own notice to affirm its commitment to the requirements of the No FEAR Act.

Antidiscrimination Laws

A Federal agency cannot discriminate against an employee or applicant with respect to the terms, conditions, or privileges of employment on the basis of race, color, religion, sex, national origin, age, disability, marital status, or political affiliation. Discrimination on these bases is prohibited by one or more of the following statutes: 5 U.S.C. 2302(b)(1), 29 U.S.C. 206(d), 29 U.S.C. 631, 29 U.S.C. 633a, 29 U.S.C. 791, and 42 U.S.C. 2000e–16.

If you believe that you have been the victim of unlawful discrimination on the basis of race, color, religion, sex, national origin, or disability, you must contact an Equal Employment Opportunity (EEO) counselor within 45 calendar days of the alleged discriminatory action, or, in the case of a personnel action, within 45 calendar days of the effective date of the action, before you can file a formal complaint of discrimination with your agency. See, e.g., 29 CFR 1614. If you believe that you have been the victim of unlawful discrimination on the basis of age, you must either contact an EEO counselor as noted above or give notice of intent to sue to the Equal Employment Opportunity Commission (EEOC) within 180 calendar days of the alleged discriminatory action. If you are alleging discrimination based on marital status or political affiliation, you may file a