

# AIDE QUILTS H.U.D., CALLING IT BIASED

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Associated Press

Robert J. Affeldt telling of his resignation yesterday.

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By JOHN HERBERS

Special to The New York Times

WASHINGTON, Sept. 18 — Robert J. Affeldt, a civil rights official in the Department of Housing and Urban Development, resigned today, charging that the Nixon Administration was "encouraging and perpetuating racial discrimination."

Mr. Affeldt, director of conciliation under the 1968 fair housing law, said he had found his efforts so "very, very frustrated" that he was returning to his former post as professor of law at the University of Toledo, Ohio.

"It is my contention that the Nixon Administration is not only indifferent to fair housing but is actively opposing it by acts of commission and omission," the 49-year-old lawyer said at a news conference.

"As a result of this policy,

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the Federal Government is encouraging and perpetuating racial discrimination in housing, employment and education," he said.

George Creel director of the department's Office of Public Affairs, issued this statement in response to the charge:

"Robert J. Affeldt did not hold a top position in H.U.D. He was a GS-15 [civil service rank] and occupied a middle management position. He originally came to H.U.D. to stay for a period of one year, which expired today."

His salary was \$24,000 a year.

Mr. Affeldt's statement pointed up a deep division within the management about how far it should go in combating racial discrimination.

Mr. Affeldt is white. He worked under Samuel J. Simmons, Assistant Secretary for Equal Opportunity, who is black. Mr. Simmons has quietly been trying to persuade his superiors to adopt stronger anti-discrimination p

### Enforcement Called Slow

By all accounts, enforcement of the 1968 fair housing act has gone slowly. Some housing has been opened to minority families through conciliation efforts of the department, and the Justice Department has filed some lawsuits attacking "patterns of practices" in discrimination on the recommendation of the Department of Housing and Urban Development.

But the law has had little over-all impact on opening white suburbs and other neighborhoods to minority groups. Meanwhile, job opportunities have moved farther away from black neighborhoods of the central cities, according

to a number of official studies.

Mr. Romney has said on numerous occasions that ways must be found to increase housing opportunities for blacks and other minorities. But he recently told Congress that he did not believe he had the legal authority to withhold funds from communities that practice discrimination. A Presidential study group has asserted that he has such authority and should use it.

Mr. Simmons has been pushing a package of enforcement proposals that would stop short of sweeping fund cutoffs but go further than present policy. One proposal would require developers receiving Housing and Urban Development funds to pledge that they would actively seek minority buyers.

There has been no indication that such steps will be adopted by the Administration.

### Commission Is Critical

The United States Commission on Civil Rights and some private civil rights groups have charged that the department's practices, and the posture of the Administration in general, have continued to encourage racial exclusion.

It was against this background that Mr. Affeldt left the Government today.

Scores in the department said Mr. Affeldt was generally liked and known as an effective administrator. Mr. Affeldt said Mr. Romney had asked him three times to stay beyond his one-year commitment.

Mr. Affeldt described himself as an independent who had been recruited for a civil service job.

Asked about Mr. Romney's public advocacy of open communities, Mr. Affeldt said, "Despite sweet rhetoric to the contrary, it is my firm conclusion

that Secretary Romney is a housing production man, not a civil rights man."

He was particularly critical of Sherman Unger, the department's general counsel, who is awaiting Senate confirmation of a Presidential appointment to the Federal Communications Commission.

Mr. Affeldt said Mr. Unger had resisted moves within the department to require persons and companies found to practice discrimination to take substantial corrective action.

In response to this charge, a department employee made available a confidential memorandum from Mr. Unger to Mr. Romney, dated Sept. 18, 1969, in which Mr. Unger said he was trying to bring into force the "full authority" of the open housing law.