

■ 4. The note immediately following appendix A to part 112 is amended by removing the word “programs” and

adding, in its place, the words “types of Federal financial assistance”.

■ 5. In the table below, for each section indicated in the left column, remove the

text shown in the middle column and add the text shown in the right column:

Section	Remove	Add
112.2(a) .....	assistance under programs	Federal financial assistance
112.3(b)(3), first sentence .....	the program	a program
112.8, last sentence .....	for each program	
112.8, last sentence .....	in the program	

**PART 117—NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS OR ACTIVITIES OF SBA—EFFECTUATION OF THE AGE DISCRIMINATION ACT OF 1975, AS AMENDED**

■ 6. The heading for part 117 is revised to read as set forth above.

■ 7. The authority citation for part 117 continues to read as follows:

**Authority:** Age Discrimination Act of 1975, 42 U.S.C. 6101 *et seq.*

■ 8. Section 117.2 is amended by revising paragraph (a) to read as follows:

**§ 117.2 Application of this part.**

(a) This part applies to all recipients of Federal financial assistance administered by the Small Business Administration, whether or not the specific type of Federal financial assistance administered is listed in appendix A.

\* \* \* \*

■ 9. Section 117.3 is amended by redesignating paragraphs (j) through (m) as paragraphs (k) through (n), and adding a new paragraph (j) to read as follows:

**§ 117.3 Definitions.**

\* \* \* \*

(j) The term *program or activity* means all of the operations of any entity described in paragraphs (j)(1) through (4) of this section, any part of which is extended Federal financial assistance:

(1)(i) A department, agency, special purpose district, or other instrumentality of a State or of a local government; or

(ii) The entity of such State or local government that distributes such assistance and each such department or agency (and each other State or local government entity) to which the assistance is extended, in the case of assistance to a State or local government;

(2)(i) A college, university, or other postsecondary institution, or a public system of higher education; or

(ii) A local educational agency (as defined in 20 U.S.C. 7801), system of vocational education, or other school system;

(3)(i) An entire corporation, partnership, or other private organization, or an entire sole proprietorship—

(A) If assistance is extended to such corporation, partnership, private organization, or sole proprietorship as a whole; or

(B) Which is principally engaged in the business of providing education, health care, housing, social services, or parks and recreation; or

(ii) The entire plant or other comparable, geographically separate facility to which Federal financial assistance is extended, in the case of any other corporation, partnership, private organization, or sole proprietorship; or

(4) Any other entity which is established by two or more of the entities described in paragraph (j)(1), (2), or (3) of this section.

\* \* \* \*

**Appendix A to Part 117 [Amended]**

■ 10. The chart in appendix A to part 117 is amended by removing the words “Name of program” and adding, in their place, the words “Type of Federal financial assistance”.

■ 11. In the table below, for each section indicated in the left column, remove the text shown in the middle column and add the text shown in the right column:

Section	Remove	Add
117.1 .....	programs	programs or activities
117.3(j), first sentence .....	under any program	
117.4(b)(2) .....	programs	programs or activities
117.5(b), first sentence .....	in a program	
117.6(b) .....	business or program	program or activity
117.6(c) .....	program	program or activity
117.7, first sentence .....	under any program	
117.7, last sentence .....	for each program,	
117.7, last sentence .....	in the program	
117.8(a), first sentence .....	programs and activities	programs or activities
117.8(c) .....	its program beneficiaries	the beneficiaries of its programs or activities
117.15(a)(3), first sentence .....	program	
117.17(f) .....	under the programs involved	to which this regulation applies
117.17(f) .....	assistance will	assistance to which this regulation applies will
117.17(f) .....	under such program	
117.19(a)(9) .....	program	program or activity
117.20, first sentence .....	programs	programs or activities