

(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 (d)(1), (2), or (3) of this section.

* * * * *

■ 3. Section 42.104 is amended by revising paragraph (b)(4) to read as follows:

§ 42.104 Discrimination prohibited.

* * * * *

(b) * * *

(4) For the purposes of this section the disposition, services, financial aid, or benefits provided under a program receiving Federal financial assistance shall be deemed to include all portions of the recipient's program or activity, including facilities, equipment, or property provided with the aid of Federal financial assistance.

* * * * *

■ 4. Section 42.105 is amended by revising paragraph (b), paragraph (c)(2), and the heading of paragraph (d) to read as follows:

§ 42.105 Assurance required.

* * * * *

(b) *Assurances from government agencies.* In the case of any application from any department, agency, or office of any State or local government for Federal financial assistance for any specified purpose, the assurance required by this section shall extend to any other department, agency, or office of the same governmental unit if the policies of such other department,

agency, or office will substantially affect the project for which Federal financial assistance is requested.

(c) * * *

(2) The assurance required with respect to an academic institution, detention or correctional facility, or any other institution or facility, insofar as the assurance relates to the institution's practices with respect to admission or other treatment of individuals as students, patients, wards, inmates, persons subject to control, or clients of the institution or facility or to the opportunity to participate in the provision of services, disposition, treatment, or benefits to such individuals, shall be applicable to the entire institution or facility.

(d) *Continuing 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
42.102(f)	for any program,	
42.102(f)	under any such program	
42.102(g)	for the purpose of carrying out a program	
42.103, introductory text, second sentence	under any such program	
42.104(b)(1), introductory text	under any program	
42.105(a)(1), first sentence	to carry out a program	
42.105(a)(1), fourth sentence	for each program	
42.105(a)(1), fourth sentence	in the program	
42.105(a)(2), first sentence	through a program of	with
42.105(a)(2), second sentence	under a program of	with
42.105(a)(2), last sentence	program	statute
42.105(d), introductory text	administering a program which receives	applying for
42.106(b), last sentence	of any program under	in
42.106(d)	program under which	program for which
42.109(e), first sentence	programs	Federal statutes, authorities, or other means
		by which Federal financial assistance is extended and
		to which this regulation applies
42.110(f)	under the program involved	assistance to which this regulation applies will
42.110(f)	assistance will	
42.110(f)	under such program	

■ 6. The heading for subpart G is revised to read as follows:

Subpart G—Nondiscrimination Based on Handicap in Federally Assisted Programs or Activities—Implementation of Section 504 of the Rehabilitation Act of 1973

■ 7. The authority citation for subpart G continues to read as follows:

Authority: 5 U.S.C. 301; 28 U.S.C. 509, 510; 29 U.S.C. 706, 794; E.O. 12250.

§ 42.520 [Amended]

■ 8. The undesignated center heading immediately preceding § 42.520 is amended by removing the word "Program."

■ 9. Section 42.521 is amended by revising the heading and first sentence of paragraph (a) to read as follows:

§ 42.521 Existing facilities.

(a) *Accessibility.* A recipient shall operate each program or activity to which this subpart applies so that when each part is viewed in its entirety it is readily accessible to and usable by handicapped persons. * * *

* * * * *

■ 10. Section 42.540 is amended by revising paragraph (h) to read as follows:

§ 42.540 Definitions.

* * * * *

(h) *Program or activity* means all of the operations of any entity described in

paragraphs (h) (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