

■ 13. The heading for subpart I is revised to read as follows:

**Subpart I—Nondiscrimination on the Basis of Age in Federally Assisted Programs or Activities; Implementation of the Age Discrimination Act of 1975**

■ 14. The authority citation for subpart I continues to read as follows:

**Authority:** 42 U.S.C. 6103(a)(4); 45 CFR part 90.

■ 15. Section 42.702 is amended by revising the definition of “Program or activity” to read as follows:

**§ 42.702 Definitions.**

\* \* \* \* \*

*Program or activity* means all of the operations of any entity described in paragraphs (1) through (4) of this definition, 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 (1), (2), or (3) of this definition.

\* \* \* \* \*

■ 16. 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
42.701(b) .....	programs	programs or activities
42.710(b), last sentence .....	program	program or activity
42.712(a)(2) .....	program	program or activity
42.712(b)(2) .....	program	program or activity
42.712(c) .....	program	program or activity
42.713(b), last sentence .....	program	program or activity
42.714 .....	program	program or activity
42.720, first sentence .....	program	program or activity
42.724(b) .....	program	program or activity
42.725 .....	programs and activities	programs or activities
42.733(b)(1)(i)(A) .....	program	program or activity
42.733(b)(2), last sentence .....	programs	programs or activities
42.733(b)(3), last sentence .....	program	program or activity

Dated: July 1, 2003.

**John Ashcroft,**  
*Attorney General.*

**DEPARTMENT OF LABOR**

**29 CFR Subtitle A**

**RIN 1291-AA31**

**Authority and Issuance**

■ For the reasons set forth in the joint preamble, DOL amends 29 CFR subtitle A, parts 31 and 32 as set forth below:

**PART 31—NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS OF THE DEPARTMENT OF LABOR—EFFECTUATION OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964**

■ 1. The authority citation for part 31 continues to read as follows:

**Authority:** Sec. 602, 78 Stat. 252; 42 U.S.C. 501, 29 U.S.C. 49k, 5 U.S.C. 301.

■ 2. Section 31.2 is amended by revising paragraph (g) to read as follows:

**§ 31.2 Definitions.**

\* \* \* \* \*

(g) The terms *program or activity* and *program* mean all of the operations of any entity described in paragraphs (g)(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 (g)(1), (2), or (3) of this section.

\* \* \* \* \*

■ 3. Section 31.3 is amended by revising the heading of paragraph (d)(1) to read as follows: