

Section	Remove	Add
17.9(g) .....	under such program	
17.11(a), first sentence .....	under such program	
17.12(h) .....	for any program,	
17.12(h) .....	under such program	
17.12(i) .....	for the purpose of carrying out a program	

### Subpart B—Nondiscrimination on the Basis of Handicap

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

**Authority:** 29 U.S.C. 794.

■ 8. Section 17.202 is amended by adding a new paragraph (q) to read as follows:

#### § 17.202 Definitions.

\* \* \* \* \*

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

■ 9. Section 17.203 is amended by revising the heading of paragraph (c) to read as follows:

#### § 17.203 Discrimination prohibited.

\* \* \* \* \*

(c) *Aid, benefits, or services limited by Federal law.* \* \* \*

\* \* \* \* \*

■ 10. The heading for § 17.216 is revised to read as follows:

#### § 17.216 Accessibility.

\* \* \* \* \*

■ 11. Section 17.217 is amended by revising the heading and first sentence of paragraph (a) to read as follows:

#### § 17.217 Existing facilities.

(a) *Accessibility.* A recipient shall operate each program or activity so that when each part is viewed in its entirety

it is readily accessible to and usable by handicapped persons. \* \* \*

\* \* \* \* \*

■ 12. Section 17.260 is amended by revising the section heading, the introductory text of paragraph (a), and the first sentence of paragraph (b)(1) introductory text to read as follows:

#### § 17.260 Historic Preservation Programs.

(a) *Definitions.* For the purposes of this section, Historic Preservation Programs are those that receive Federal financial assistance that has preservation of historic properties as a primary purpose.

\* \* \* \* \*

(b) \* \* \*

(1) A recipient shall operate any program or activity involving Historic Preservation Programs so that when each part is viewed in its entirety it is readily accessible to and usable by handicapped persons. \* \* \*

\* \* \* \* \*

■ 13. The section heading and the introductory text of § 17.270 are revised to read as follows:

#### § 17.270 Recreation.

This section applies to recipients that operate, or that receive Federal financial assistance for the operation of programs or activities involving recreation.

\* \* \* \* \*

■ 14. 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
17.201 .....	or benefits from	
17.202(i) .....	recreation and program spaces	spaces, including those used for recreation,
17.202(m) .....	programs	the recipient
17.202(m) .....	should be available	should make its aid, benefits, or services
		available
17.202(n) .....	programs	programs or activities
17.203(a) .....	or benefits from	
17.203(b)(1)(v) .....	program	program or activity
17.203(b)(3) .....	programs or activities	aid, benefits, or services
17.203(b)(4)(ii) .....	program	program or activity
17.203(b)(5)(i) .....	or benefits from	
17.203(b)(6) .....	or benefiting from	
17.203(c) .....	the benefits of a program	aid, benefits, or services
17.203(c) .....	from a program	from aid, benefits, or services
17.204(a), first sentence .....	for a program or activity	
17.204(a), first sentence .....	the program	the program or activity
17.204(c)(4), first sentence .....	to carry out a program involving	for
17.204(c)(4)(i) .....	program	program or activity