

■ 7. The heading for subpart E is revised to read as follows:

**Subpart E—Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance From FEMA**

■ 8. The authority citation for subpart E is revised to read as follows:

**Authority:** Age Discrimination Act of 1975, as amended (42 U.S.C. 6101 *et seq.*); 45 CFR part 90.

■ 9. The heading for § 7.912 is revised to read as follows:

**§ 7.912 To what programs or activities does this regulation apply?**

\* \* \* \* \*

■ 10. Section 7.913 is amended by adding, in alphabetical order, a definition of “Program or activity” to read as follows:

**§ 7.913 Definition of terms used in this regulation.**

\* \* \* \* \*

*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.

\* \* \* \* \*

■ 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
7.910 .....	programs and activities	programs or activities
7.911, last sentence .....	programs, activities	programs or activities
7.912(a) .....	or benefits from	
7.925 .....	program	program or activity
7.926 .....	program	program or activity
7.930, first sentence .....	programs and activities	programs or activities
7.931(b) .....	program	
7.943(a)(2), last sentence .....	program	
7.945(b), first sentence .....	program and activity	program or activity
7.945(c)(2), first sentence .....	Federal	
7.948(b)(2) .....	program or activity	Federal financial assistance

Dated: May 8, 2003.

**Michael D. Brown,**

*Under Secretary, Emergency Preparedness and Response.*

**NATIONAL SCIENCE FOUNDATION  
45 CFR Chapter VI**

**RIN 3145-AA38**

**Authority and Issuance**

■ For the reasons set forth in the joint preamble, NSF amends 45 CFR chapter VI, parts 605, 611, and 617 as set forth below:

**PART 605—NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE**

■ 1. The heading for part 605 is revised to read as set forth above.

■ 2. The authority citation for part 605 continues to read as follows:

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

■ 3. Section 605.3 is amended by adding a new paragraph (m) to read as follows:

**§ 605.3 Definitions.**

\* \* \* \* \*

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