

**Subparts 101-8.4—101-8.6  
[Reserved]**

**Subpart 101-8.7—Discrimination  
Prohibited on the Basis of Age**

AUTHORITY: 42 U.S.C. 6101 *et seq.*

SOURCE: 50 FR 23412, June 4, 1985, unless otherwise noted.

**§ 101-8.700 Purpose of the Age Discrimination Act of 1975.**

The Age Discrimination Act of 1975, as amended, prohibits discrimination on the basis of age in programs or activities receiving Federal financial assistance.

**§ 101-8.701 Scope of General Services Administration's age discrimination regulation.**

This regulation sets out General Services Administration's (GSA) policies and procedures under the Age Discrimination Act of 1975, as amended, in accordance with 45 CFR part 90. The Act and the Federal regulation permits Federal financial assistance programs and activities to continue to use certain age distinctions and factors other than age which meet the requirements of the Act and its implementing regulations.

**§ 101-8.702 Applicability.**

(a) The regulation applies to each GSA recipient and to each program or activity operated by the recipient that benefits from GSA Federal financial assistance.

(b) The regulations does not apply to:

(1) An age distinction contained in that part of Federal, State, local statute or ordinance adopted by an elected, general purpose legislative body that:

(i) Provides any benefits or assistance to persons based on age;

(ii) Establishes criteria for participation in age-related terms; or

(iii) Describes intended beneficiaries or target groups in age-related terms.

(2) Any employment practice of any employer, employment agency, labor organization or any labor-management apprenticeship training program, except for any program or activity receiving Federal financial assistance for public service employment under the

Comprehensive Employment and Training Act (CETA) (29 U.S.C. 801 *et seq.*).

**§ 101-8.703 Definitions of terms.**

(a) As used in these regulations, the term: *Act* means the Age Discrimination Act of 1975, as amended (title III of Pub. L. 94-135).

(b) *Action* means any act, activity, policy, rule, standard, or method of administration.

(c) *Age* means how old a person is, or the number of years from the date of a person's birth.

(d) *Age distinction* means any action using age or an age-related term.

(e) *Age-related term* means a word or words that imply a particular age or range or ages (for example, *children, adult, older person*, but not *student*).

(f) *Agency* means a Federal department or agency empowered to extend Federal financial assistance.

(g) *Agency Responsible Officials:*

(1) *Administrator* means the Administrator of General Services.

(2) *Director, Office of Civil Rights* means the individual responsible for managing the agency's nondiscrimination Federal financial assistance program, or his or her designee.

(h) *Federal financial assistance* means

(1) grants and loans of Federal funds, (2) the grant or donation of Federal property and interests in property, (3) the services of Federal personnel, (4) the sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purposes of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient, and (5) any Federal agreement, arrangement, or other contract which has as one of its purposes the provision of assistance.

(i) *GSA* means the United States General Services Administration.

(j) *Primary recipient* means any recipient which is authorized or required to extend Federal financial assistance to another recipient for the purpose of carrying out a program.