property without approval of DOE. When no longer needed for the originally authorized purpose, disposition of the intangible property shall occur in accordance with the provisions of Section 600.134(g).

(b) Recipients that are commercial entities shall follow the provisions set forth at 10 CFR 600.27.

## §600.302 [Amended]

5. Newly redesignated § 600.302 is amended in paragraph (d) by revising "Sections 600.25, 600.153, 600.242, and 600.305" to read "Sections 600.21, 600.153, and 600.242".

## § 600.303 [Amended]

6. In paragraph (c), of newly redesignated § 600.303 revise "Sections 600.126, 600.226, and 600.305" to read "Sections 600.126 and 600.226".

## § 600.305 [Amended]

7. In newly redesignated § 600.305(b)(2)(ii)(C), revise "Section 600.424 of subpart E" to read "Section 600.324 of subpart D".

## § 600.315 [Amended]

8. Newly redesignated § 600.315 is amended, in the first sentence, by revising "Section 600.436 of subpart E" to read "Section 600.336 of subpart D".

9. Subpart A is revised to read as follows:

## Subpart A—General

Sec. 600.1 Purpose. 600.2 Applicability. 600.3 Definitions. 600.4 Deviations. 600.5 Selection of award instrument. 600.6 Eligibility. Small and disadvantaged and 600.7 women-owned business participation. 600.8 Solicitation. 600.9 Notice of program interest. 600.10 Form and content of applications. 600.11 Intergovernmental review. Generally applicable requirements. 600.12 600.13 Objective merit review. 600.14 Conflict of interest. 600.15 Authorized uses of information. 600.16 Legal authority and effect of an award. 600.17 Contents of award. 600.18 Recipient acknowledgement of award. 600.19 Notification to unsuccessful applicants. 600.20 Maximum DOE obligation. 600.21 Access to records. Disputes and appeals. 600.22 600.23 Debarment and suspension. 600.24 Noncompliance. 600.25 Suspension and termination. 600.26 Funding. 600.27 Patent and data provisions. 600.28 New restrictions on lobbying. 600.29 Fixed obligation awards.

600.30

Cost sharing.

## Subpart A—General

#### § 600.1 Purpose.

This part implements the Federal Grant and Cooperative Agreement Act, Pub. L. 95–224, as amended by Public Law 97–258 (31 U.S.C. 6301–6308), and establishes uniform policies and procedures for the award and administration of DOE grants and cooperative agreements. This subpart (Subpart A) sets forth the policies and procedures applicable to the award and administration of grants and cooperative agreements.

# § 600.2 Applicability.

(a) Except as otherwise provided by Federal statute or program rule, this part applies to applications, solicitations, and new, continuation, and renewal awards (and any subsequent subawards).

(b) Any new, continuation, or renewal award (and any subsequent subaward) shall comply with any applicable Federal statute, Federal rule, Office of Management and Budget (OMB) Circular and Governmentwide guidance in effect as of the date of such award.

(c) Financial assistance to foreign entities is governed by this part and by the administrative requirements and cost principles applicable to their respective recipient type, e.g, governmental, non-profit, commercial, to the extent appropriate.

# § 600.3 Definitions.

Amendment means the written document executed by a DOE contracting officer that changes one or more terms or conditions of an existing financial assistance award.

Assistance means the transfer of money, property, services or anything of value to a recipient to accomplish a public purpose of support or stimulation authorized by Federal statute, as differentiated from financial assistance which covers the transfer of money or property only. Financial assistance instruments are grants and cooperative agreements and subawards.

Award means the written document executed by a DOE Contracting Officer, after an application is approved, which contains the terms and conditions for providing financial assistance to the recipient.

Budget period means the interval of time, specified in the award, into which a project is divided for budgeting and funding purposes.

Continuation award means an award for a succeeding or subsequent budget period after the initial budget period of either an approved project period or renewal thereof.

Contract means a written procurement contract executed by a recipient or subrecipient for the acquisition of property or services under a financial assistance award.

Contracting Officer means the DOE official authorized to execute awards on behalf of DOE and who is responsible for the business management and non-program aspects of the financial assistance process.

DOE Patent Counsel means the Department of Energy Patent Counsel assisting the Contracting Officer in the review and coordination of patents and data related items.

Nonprofit organization means any corporation, trust, foundation, or institution which is entitled to exemption under section 501(c)(3) of the Internal Revenue Code, or which is not organized for profit and no part of the net earnings of which inure to the benefit of any private shareholder or individual (except that the definition of "nonprofit organization" at 48 CFR 27.301 shall apply to the use of the patent clause at Section 600.27).

Objective merit review means a thorough, consistent and independent examination of applications based on pre-established criteria by persons knowledgeable in the field of endeavor for which support is requested.

Program rule means a rule issued by a DOE program office for the award and administration of financial assistance which may describe the program's purpose or objectives, eligibility requirements for applicants, types of program activities or areas to be supported, evaluation and selection process, cost sharing requirements, etc. These rules usually supplement the generic policies and procedures for financial assistance contained in this part.

Project period means the total period of time indicated in an award during which DOE expects to provide financial assistance. A project period may consist of one or more budget periods and may be extended by DOE.

Recipient means the organization, individual, or other entity that receives an award from DOE and is financially accountable for the use of any DOE funds or property provided for the performance of the project, and is legally responsible for carrying out the terms and conditions of the award.

Renewal award means an award which adds one or more additional budget periods to an existing project period.

Research and development means all research activities, both basic and applied, and all development activities that are supported at universities,