

*Entitlements [Reserved]*

### Subpart D—Administrative Requirements for Grants and Cooperative Agreements With For-Profit Organizations

SOURCE: 68 FR 50650, Aug. 21, 2003, unless otherwise noted.

#### GENERAL

#### § 600.301 Purpose.

(a) This subpart prescribes administrative requirements for awards to for-profit organizations.

(b) Applicability to prime awards and subawards is as follows:

(1) *Prime awards*: DOE contracting officers must apply the provisions of this part to awards to for-profit organizations. Contracting officers must not impose requirements that are in addition to, or inconsistent with, the requirements provided in this part, except:

(i) In accordance with the deviation procedures or special award conditions in § 600.303 or § 600.304, respectively; or

(ii) As required by Federal statute, Executive order, or Federal regulation implementing a statute or Executive order.

(2) *Subawards*. (i) Any legal entity (including any State, local government, university or other nonprofit organization, as well as any for-profit entity) that receives an award from DOE must apply the provisions of this part to subawards with for-profit organizations.

(ii) For-profit organizations that receive prime awards covered by this part must apply to each subaward the administrative requirements that are applicable to the particular type of subrecipient (*e.g.*, 10 CFR part 600, subpart B, contains requirements for institutions of higher education, hospitals, or other nonprofit organizations and 10 CFR part 600, subpart C, specifies requirements for subrecipients that are States or local governments).

#### § 600.302 Definitions.

In addition to the definitions used in subpart A of this part, the following are definitions of terms as used in this subpart:

*Advance* means a payment made by Treasury check or other appropriate payment mechanism to a recipient upon its request either before outlays are made by the recipient or through the use of predetermined payment schedules.

*Applied research* means efforts that seek to determine and exploit the potential of scientific discoveries or improvements in technology, and is directed toward the development of new materials, devices, methods, and processes.

*Basic research* means efforts directed solely toward increasing knowledge or understanding in science and engineering.

*Cash contributions* means the recipient's cash outlay, including the outlay of money contributed to the recipient by third parties.

*Closeout* means the process by which DOE determines that all applicable administrative actions and all required work of the award have been completed by the recipient and DOE.

*Cost sharing or matching* means that portion of project or program costs not borne by the Federal Government.

*Demonstration* means a project designed to determine the technical feasibility and economic potential of a technology on either a pilot plant or a prototype scale.

*Development* means efforts to create or advance new technology or demonstrate the viability of applying existing technology to new products and processes.

*Disallowed costs* means those charges to an award that the DOE contracting officer determines to be unallowable, in accordance with the applicable Federal cost principles or other terms and conditions contained in the award.

*DOE* means the Department of Energy, including the National Nuclear Security Administration (NNSA).

*Equipment* means tangible, non-expendable personal property charged directly to the award having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit.

*Excess property* means property under the control of any DOE Headquarters or field office that, as determined by the head thereof, is no longer required