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## 2 C.F.R. § 910.126

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### Competition.

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- (a) *General.* DOE shall solicit applications for Federal financial assistance in a manner which provides for the maximum amount of competition feasible.
- (b) *Restricted eligibility.* If DOE restricts eligibility, an explanation of why the restriction of eligibility is considered necessary shall be included in the notice of funding opportunity or, program rule. Such restriction of eligibility shall be:
- (1) Supported by a written determination initiated by the program office;
  - (2) Concurred in by legal counsel and the Contracting Officer; and
  - (3) Approved, prior to award, by an approver at least one level above the Contracting Officer.
- (c) *Noncompetitive Federal financial assistance.* DOE may award a grant or cooperative agreement on a noncompetitive basis only if the application satisfies one or more of the follow selection criteria:

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