PART 1235—RESEARCH AND DEVELOPMENT CONTRACTING

Authority: 5 U.S.C. 301; 41 U.S.C. 1121(c)(3); 41 U.S.C. 1702; and 48 CFR 1.301 through 1.304.

Source: 87 FR 61159, Oct. 7, 2022, unless otherwise noted.

1235.003 Policy.

1235.011-70 Contract clause.

1235.012 Patent rights.

1235.070 Research misconduct.

1235.070-1 Contract clause.

Parent topic: SUBCHAPTER F—SPECIAL CATEGORIES OF CONTRACTING

1235.003 Policy.

(b) *Cost sharing.* DOT cost sharing policies that are not otherwise required by law shall be in accordance with FAR 16.303 and 42.707(a) and Operating Administration (OA) procedures.

(c) *Recoupment.* DOT recoupment not otherwise required by law shall be in accordance with OA procedures.

1235.011-70 Contract clause.

The contracting officer shall insert the clause at 1252.235–71, Technology Transfer, in all solicitations and contracts for experimental, developmental, or research work.

1235.012 Patent rights.

Patent rights shall be in accordance with FAR part 27 and any OA implementing procedures in this part.

1235.070 Research misconduct.

(a) *Applicability.* DOT policy on scientific integrity is implemented in the Deputy Secretary's memorandum dated April 10, 2012, Implementation of Departmental Scientific Integrity Policy at *https://www.transportation.gov/administrations/assistant-secretary-rese…*. The Department is dedicated to preserving the integrity of the research it conducts and funds and will not tolerate

misconduct in the performance of these activities. This policy applies to all DOT-funded or DOT-conducted research, including intramural research, research conducted by contractors, and research performed at research institutions, including universities and industry.

(b) *Definition. Research misconduct* means fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results. Research misconduct does not include honest error or differences of opinion. A finding of research misconduct means a determination based on a preponderance of the evidence that research misconduct has occurred, including a conclusion that there has been a significant departure from accepted practices of the relevant research community and that it was knowingly, intentionally, or recklessly committed.

1235.070-1 Contract clause.

The contracting officer shall insert the clause at 1252.235–70, Research Misconduct, in all solicitations and contracts for research and development.