# RCRA Newsletter

*Research Compliance News from your Trusted Partners*

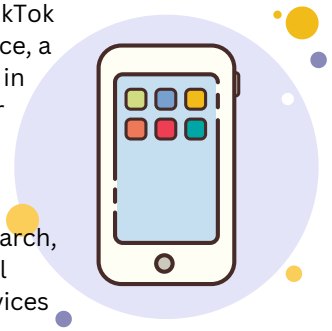
October 2023, Issue 105

## Visiting Scholar Policy & OnBase Visitor's Application Portal

- The purpose of the Visiting Scholar and Visiting Student Policy 7.12 is to establish a transparent and consistent process for receiving visiting faculty, scholars, and students and to ensure that all applicable rules and regulations are followed in hosting such visitors.
- RCRA reviews visiting scholars and visiting students' activities to ensure compliance with federal government regulations related to research security and export controls.
- Requests for review should be routed to RCRA via the Visitor's Application platform on OnBase.
- OnBase accounts can be requested via Service Now.
- Those wishing to host visitors should contact their respective HR Unit within the school or the department for assistance in routing the requests to RCRA.
- Contact Export Control Office if unsure of who the HR contact within your school or department or if you have any other questions **exportcontrol@emory.edu**.

## Federal Interim Rule Implements TikTok Ban on Devices Used in the Performance of Federal Contracts

A new Federal Acquisition Regulation (FAR 52.204-27) clause prohibits federal contractors and subcontractors from "having or using" the social networking service TikTok or any "successor application" developed by ByteDance, a Chinese internet technology company headquartered in Beijing, on any information technology system used or provided by the contractor in the performance of a government contract.



This ban affects not only institutionally owned and managed devices used for the conduct of federal research, but potentially personally owned devices of personnel involved in federally funded research, when those devices are used to conduct Emory business. As a federal contractor and subcontractor on various grants/contracts Emory is required to comply with the FAR statement above.

## NIH Final Policy on Foreign Subawards (issued September 2023)

The NIH earlier this year announced policy guidance that would require foreign subrecipients of NIH-funded grants to provide copies of lab notebooks, data, and documentation supporting research outcomes to the prime recipient. This guidance was originally effective Oct. 1, 2023.

NIH has issued a final updated guidance and the key changes are as follows:

- The new effective date is January 1, 2024. NIH expects recipients to update existing subaward agreements to address this requirement within 60 days of the effective date.
- NIH is modifying the requirement for the required documentation from every quarter to "no less than once per year, in alignment with the timing requirements for Research Performance Progress Report submission."
- NIH will change the language from requiring foreign subrecipients to "provide copies" of lab notebooks, data, and documentation to "provide access to copies" and notes that this access may be entirely electronic.

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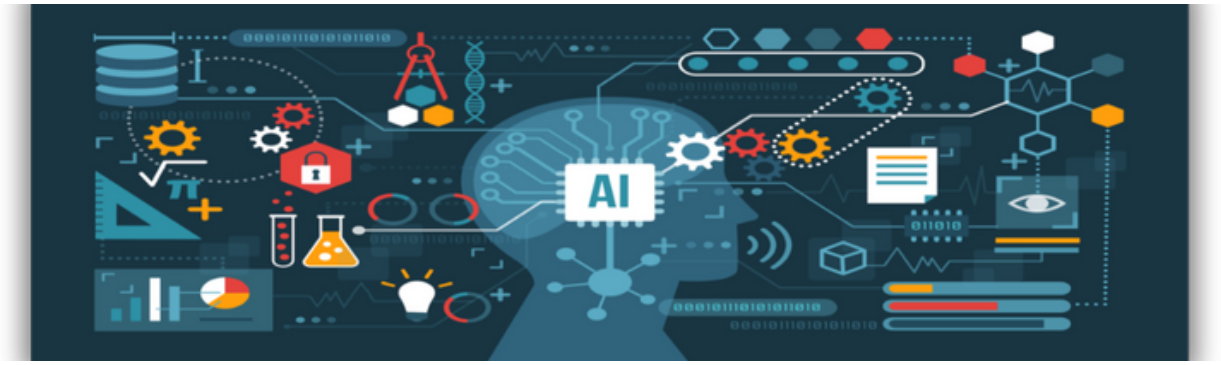
## NIH Prohibits the Use of Artificial Intelligence in Peer Reviews

In June, NIH released a notice prohibiting NIH scientific peer reviewers from using natural language processors, large language models, or other generative Artificial Intelligence (AI) technologies for analyzing and formulating peer review critiques for grant applications and R&D contract proposals. NIH is also revising its Security, Confidentiality, and Non-disclosure Agreements for Peer Reviewers to clarify this prohibition. The notice also clarifies that uploading or sharing content or original concepts from an NIH grant application, contract proposal, or critique to online generative AI tools violates the NIH peer review confidentiality and integrity requirements.

While this prohibition doesn't apply to proposals yet, NIH cautions researchers that using AI tools may introduce several concerns related to research misconduct, such as, including plagiarized text from someone else's work or fabricated citations. Plagiarized, falsified, or fabricated information in a grant write-up, it may result in noncompliance with NIH policies.

With the evolving landscape around Artificial Intelligence and its impact on academic and research activities at Emory, the research compliance team is leading a workgroup with representation from various stakeholders across the enterprise to provide best practices around compliant use of AI tools and keep a pulse on new and upcoming regulatory guidance.

**Article of Interest:** AI @ Emory: Research & Beyond – Applications, Impact, and Compliance Risks



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## Effort Reporting Compliance

With approximately 7,100 delinquent certifications from the March–August 2023 period and 2,000 from prior periods, effective collaboration among Research Administrative Services (RAS), Departmental Administrators (DAs), and Chief Business Officers (CBOs) is critical. That in mind, we kindly request your assistance working with department chairs, faculty, cost-study teams, and RAS directors and staff to complete and certify all the forms (March-August and prior periods) before **November 29, 2023.**

Here's how we can accomplish this as a team:

- **Review Policy:** Familiarize yourselves with the updated policy: Review Policy 2.126 Effort Reporting to understand the requirements comprehensively and the Effort Certification Procedure.
- **View Video:** Take time to watch this short: The Importance of Certifying Effort.mp4, specifically designed to make the policy easy to understand.
- **Open Dialogue:** Email effort.help@emory.edu with questions or concerns.
- **Peer Support:** Encourage colleagues to share tips on efficiently handling effort reporting.
- **Continuous Learning:** Regularly attend compliance update meetings to keep ourselves current.

Additional effort certification resources are available on Emory's Effort Certification webpage.

## Emory IACUC Newsletter

Check out the IACUC September newsletter here for updates on the following topics:

- IACUC Policies that have been updated recently
- Reminder of responsibilities to all investigators
- The exemption for using single-dose non-bacteriostatic sterile injectable saline or water has been terminated
- DAR training and OHS Questionnaire for Animal Handlers are moving to Brainier
- Do you have a JIT submission?
- Do you know if you have Compassion Fatigue?
- eIACUC software updates
- Updated Use of Flowmeters for Mouse and Rat CO2 Euthanasia for SOM Researchers
- Surgeons should be listed with the Surgeon Role and assigned to the surgical procedure
- Additional resources for researchers – Example for completing a surgical log

## Are You Leaving Emory or Stopping Your Research with Controlled Substances or Dangerous Drugs?

Drugs obtained under a license for Controlled Substances or Dangerous Drugs for research, should be destroyed under your active license. For dangerous drugs, update your logs and contact EHSO for pick-up. For Controlled Substances, update your use/disposition log and contact a reverse distributor (for example, RX Exchange) to destroy the drugs. You cannot share unused drugs with anyone. Please find more information here at  or contact us at oric@emory.edu.

## When Do Financial Interests Need to be Disclosed?

- Emory's annual certification period will begin on December 1st, 2023 and conclude on February 29th, 2024.
- If you are responsible for design, conduct, or reporting of research, you will need to disclose:
  - During the annual certification period
  - Within 30 days of discovering or acquiring a new Significant Financial Interest (e.g., through purchase, marriage, or inheritance)
  - Within 30 days of hire

All research applications need to have an up-to-date disclosure on file. Grant proposals will not be submitted if the disclosure profile is not completed and/or updated. If you have any questions you can contact us at edisclose@emory.edu