NIH –Funded Research Mandate

Consolidated Appropriations Act of 2007 (H.R. 2764)

H.R. 2764 was signed on December 26, 2007 by the President. A provision in this bill contains language mandating submission to PubMed Central (http://www.pubmedcentral.nih.gov) all NIH-funded research results that are accepted for journal publication:

SEC. 218. The Director of the National Institutes of Health shall require that all investigators funded by the NIH submit or have submitted for them to the National Library of Medicine's PubMed Central an electronic version of their final, peer-reviewed manuscripts upon acceptance for publication, to be made publicly available no later than 12 months after the official date of publication: Provided, That the NIH shall implement the public access policy in a manner consistent with copyright law.


Who Must Comply?

The NIH Public Access Policy applies to all peer-reviewed articles that arise, in whole or in part, from direct costs funded by NIH, or from NIH staff, that are accepted for publication on or after April 7, 2008.

1. Directly funded by an NIH grant or cooperative agreement active in Fiscal Year 2008 (October 1, 2007- September 30, 2008) or beyond;
2. Directly funded by a contract signed on or after April 7, 2008;
3. Directly funded by the NIH Intramural Program.
4. If NIH pays your salary.

The final, peer-reviewed manuscript includes all graphics and supplemental materials that are associated with the article.

Additionally, beginning May 25, 2008, anyone submitting an application, proposal or progress report to the NIH must include the PMC or NIH Manuscript Submission reference number when citing applicable articles that arise from their NIH funded research. This policy includes applications submitted to the NIH for the May 25, 2008 due date and subsequent dates.

FAQ about the new NIH Public Access Policy (http://publicaccess.nih.gov/FAQ.htm)

Institutions and investigators are responsible for ensuring that any publishing or copyright agreements concerning submitted articles fully comply with this Policy.
Managing Your Copyright for PMC Deposit and Submitting Your Research to Publishers

As an author, NIH urges you to establish with the publisher, before signing any copyright transfer, that you have the right to deposit your article to PubMed Central. Avoid journals that require you to sign copyright agreements that do not include your right to deposit your article to PubMed Central. It is important to note that the article must be submitted to PMC at the time of journal acceptance. Then, PMC will release it to the public 12 months after journal publication.

Here are some resources to assist you:

When negotiating your copyright transfer agreement, attach a completed Scholar's Copyright Delayed Access Addendum ([http://scholars.sciencecommons.org](http://scholars.sciencecommons.org)) to the contract.

The SHERPA/RoMEO ([http://www.sherpa.ac.uk/romeo.php](http://www.sherpa.ac.uk/romeo.php)) site tracks publisher policies on depositing to PMC and to an institution’s own repository. This may help you decide whether to submit your manuscript to a publisher.

Look for journals that agree to deposit your articles to PMC for you. Of the publishers who will deposit to PMC on your behalf, find out if the publisher deposits your manuscript or if the publisher deposits the final published version of the article. If the publisher deposits the manuscript only, you will need to log into the NIH Manuscript Submission system and approve release.

Here is a list of journals that participate in PMC deposits. ([http://publicaccess.nih.gov/submit_process_journals.htm](http://publicaccess.nih.gov/submit_process_journals.htm))

Deposit the article yourself using the NIH Manuscript Submission System. ([http://www.nihms.nih.gov](http://www.nihms.nih.gov))


NIH’s mandate to make publicly funded research available freely within PubMed Central will promote the distribution and accessibility of health sciences research. No longer will the important, NIH publicly funded discoveries in the life sciences be locked down to those who can afford the publisher fees charged to view such literature. This mandate advances medical knowledge for the public good. Authors will retain their copyrights while NIH itself controls the license to its funded research.
Here is a guide to implementing the NIH Public Access Policy developed by the Association of Research Libraries. (http://www.arl.org/sc/implement/nih/guide)

The United States is the 21st country to mandate free, open access to government funded scientific research. But the NIH is the largest government funding agency among these countries. Already, other significant open access mandates have been decided upon following this NIH decision. Notably, Harvard University passed an open access mandate for its Faculty of Arts and Sciences on February 12, 2008. Other universities are considering doing the same.

If you want to learn more about open access to scholarly communications, here are some websites.

The SPARC Open Access Newsletter (http://www.earlham.edu/~peters/fos)

Scholarly Publishing and Academic Resources Coalition (SPARC) (http://www.arl.org/sparc/openaccess)

The Science Commons (http://sciencecommons.org)

The Creative Commons License (http://creativecommons.org/license)

While submitting your research to PubMed Central, you can also add your research to The University of Kansas Medical Center’s institutional repository, Archie. (http://library.kumc.edu/archie/about.htm)

The A. R. Dykes Library Copyright and Document Delivery office can assist you with locating publisher policies on PMC deposits and other details concerning the deposit process. Please contact Crystal Cameron-Vedros. cvedros@kumc.edu. 913-588-7916.

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