

Research Foundation for Mental Hygiene, Inc.
NIH Public Access Policy

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1. OVERVIEW

“The NIH Public Access Policy implements Division G, Title II, Section 218 of PL 110-161 (Consolidated Appropriations Act, 2008). The law states:

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.”

- Effective date **April 7, 2008**
- “The Policy applies to you if your peer-reviewed article is based on work in one or more of the following categories:
 - Directly funded by an NIH grant or cooperative agreement active in Fiscal Year 2008 (October 1, 2007- September 30, 2008) or beyond;
 - Directly funded by a contract signed on or after April 7, 2008;
 - Directly funded by the NIH Intramural Program.
 - If NIH pays your salary.”

(Directly funded - Costs that can be specifically identified with a particular project or activity.)

- “The Policy applies to all peer-reviewed journal articles, including research reports and reviews. The Policy does not apply to non-peer-reviewed materials such as correspondence, book chapters, and editorials.”
- Applies to any article written based on research that has **any federal funding**, even partial funding.
- Principal Investigators of NIH awards should ensure that all authors who will publish articles in peer-review journals based on research funded by the award are aware of their obligations to submit to PMC.
- Authors must ensure that they retain the right to make or allow a deposit with PubMed when they negotiate publication copyrights with publishers.
- Articles must be submitted to PubMed within 12 months of publication.
 - A growing list of publications are already complying by submitting articles. List of publications that are submitting articles to PubMed: http://publicaccess.nih.gov/submit_process_journals.htm

- If the publisher does not submit the final published article within 12 months the author is required to do so.
- Instructions for filing an article with the PubMed Central Repository can be found at: http://publicaccess.nih.gov/submit_process.htm
- Beginning **May 25, 2008** anyone submitting an application, proposal, or progress report “or similar documents” to NIH must include the PubMed Central reference number when citing articles arising from their NIH funded research. It will no longer be necessary to send a paper copy of each publication.

2. COMMUNICATING WITH PUBLISHERS

When you submit an article to a peer-reviewed journal include the following, or substantially similar language, in your cover letter to the publisher:

This article is based on research that is funded in whole or in part by grants from the National Institute of Health (NIH) and is therefore subject to the mandatory NIH Public Access policy (see <http://publicaccess.nih.gov/policy.htm>). As a matter of US federal regulation, the final, peer-reviewed manuscript must be deposited with the PubMed Central (PMC) database upon acceptance for publication and be made publicly accessible no later than 12 months after publication.

In order to ensure compliance with this mandate and to be sure that copyrights are addressed appropriately, we ask that EITHER:

1. You, as the publisher, submit the article directly to PubMed Central after acceptance and inform me when submission is complete so that the required reference number(s) that must be used in subsequent NIH applications can be obtained.

If it is not already part of your standard publication agreement or copyright transfer, please include a statement that confirms your commitment to submit the article to PubMed Central no later than 12 months after publication and to notify the author when submission is complete.

OR

2. That the publication contract sent to the article author when and if the article is accepted for publication include language that allows the author to retain the right to grant a license to the NIH for PubMed Central deposit. Please indicate clearly if you have any requirements about when, within the allowable 12 month period following publication, the article can be made public through PMC. We will deposit the article in PMC.

If the necessary language is not part of your standard publication agreement or copyright transfer, please include this additional wording, which is suggested by the NIH: *"The Journal acknowledges that Author retains the right to provide a copy of the final manuscript to the NIH upon acceptance for Journal publication, for public archiving in PubMed Central as soon as possible but no later than 12 months after publication by Journal."*

3. SUMMITTING ARTICLES TO PUBMED CENTRAL REPOSITORY (PMC)

NIH funded peer-reviewed articles accepted for publication on or after April 7, 2008 must be submitted to PMC within 12 months of publication. Instructions for filing an article with the PubMed Central Repository can be found at http://publicaccess.nih.gov/submit_process.htm.

If your journal deposits **the final published article** in PubMed Central and allows NIH to make it available to the public **within 12 months** of publication, you do not have to do anything to fulfill the submission requirement of the NIH Public Access Policy.

If your journal is only depositing a copy of your **final peer-reviewed manuscript** files (rather than the final published article) via the NIH Manuscript Submission system, you will still have to sign on to the NIH Manuscript Submission system (<http://www.nihms.nih.gov/>) to review and approve release of the article to PubMed Central. Some journals will deposit the manuscript files for you. In that case, you still have to provide the associated award information, and review and approve the article. The NIHMS will notify you via email when these actions are needed and include a link to the NIHMS web site.

If your journal is **not submitting** your article in either form you must submit the article to NIH/PubMed Central.

How do I submit an article to NIH/PubMed Central?

You must use the NIH Manuscript Submission (NIHMS) system to submit an article.

- You deposit the manuscript files (e.g., Microsoft Word document and figures) in the NIHMS.
- You indicate the NIH award(s) to which the article is related.
- After the NIHMS converts your deposited files to a standard PubMed Central (PMC) format, NIHMS will email you to review the PMC formatted article to approve its release.

For more information about the NIHMS, go to <http://www.nihms.nih.gov/>. There is an online tutorial at <http://www.nihms.nih.gov/web-help/index.html>.

When an article is available in PMC it will be assigned a PMC ID number. Beginning May 25, 2008 you will be required to include this number when referencing the article in any NIH application, proposal, progress report or similar documents.