National Institutes of Health Public Access Policy

Public Law 110-161, Division G, Title II, Section 218 - Consolidated Appropriations Act, 2008

Summary

All peer reviewed articles arising from NIH funds are required to be submitted to PubMed Central for public access. You are affected by this law if your peer-reviewed article meets one or more of the following criteria:

1. Work is directly funded by an NIH grant or cooperative agreement active in federal Fiscal Year 2008 (Oct. 1, 2007 - Sept. 30, 2008).
2. Work is directly funded by the NIH Intramural Program.
3. If the NIH pays your salary -or-
4. Work is directly funded by a contract signed on or after April 7, 2008.

Overview

Under the new National Institutes of Health (NIH) Public Access Policy, effective April 7, 2008, authors and investigators must ensure that an electronic copy of the final, peer-reviewed manuscript arising from NIH funded work and accepted for publication is deposited in PubMed Central. The full text of the article will become freely available to the public within 12 months of the formal publication.

This requirement applies to any NIH direct funding, including grants, contracts, training grants, subcontracts, etc.

In addition, as of May 25, 2008 anyone submitting an application, proposal, or progress report to NIH with a due date of May 25, 2008 or later must include the PMC or NIH Manuscript Submission Reference Number when citing applicable articles that arise from their NIH-funded research.

Compliance with this new regulation requires:

1. Appropriate copyright agreement with publishers
2. Manuscript submission to PubMed Central (PMC)
3. Citing PMC or NIH identification numbers in grant reports and proposals.

Copyright Compliance

Brandeis authors and investigators must simultaneously comply with the NIH policy and with copyright law. To do so, authors should work with the publisher before any rights are transferred and should avoid signing any agreements with publishers that do not allow the author to comply with the NIH Public Access Policy. Additionally, Brandeis University downloads from PubMed Central the Brandeis-authored articles, once they are made public, for inclusion in the University's Institutional Repository. Therefore, Brandeis authors and investigators also should retain the right to deposit a copy in the repository.

To comply, either complete the attached letter and submit it with your manuscript or add the following wording to the publisher's agreement:

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. In addition, the journal acknowledges that the Author retains the right to include a copy of the final manuscript in his/her institution's repository.
Alternatively, authors and investigators may choose to submit their manuscripts only to those journals that submit articles directly to PubMed Central. On submission, be sure to notify the journal that the article arises from NIH funded research and that a copy will be deposited in the Brandeis institutional repository as well.

**Citing PMC or NIH Identification Numbers**

As of May 25, 2008, NIH applications, proposals, and progress reports must include the PubMed Central reference number when citing an article that falls under the policy and is authored or co-authored by the investigator, or arose from the investigator's NIH award. This policy includes applications submitted to the NIH for the May 25, 2008 due date and subsequent due dates.

When you submit a manuscript to NIH, you receive a NIHMS ID number. Once the article is available in PubMed Central, it is assigned a PMC ID number. Search PubMed Central to find the number (Do not search PubMed for this information nor include the PMID number.)

**Additional Resources**

[Copyright-Related Information](#)

[Journals That Submit All NIH-Funded Final Published Articles to PubMed Central](#)

[NIH Public Access Policy](#)

[Paper Submission Methods: PubMed](#)

[SHERPA/ROMEO...opening access to research](#) (find permissions normally given as part of each publisher's copyright transfer agreement)

[SPARC Resources on NIH Policy Implementation](#)

[SPARC, Scholarly Publishing and Academic Resources Coalition](#)

Office of Research Administration  ↦  Bernstein Marcus, Room 121  ↦  MS 116, 415 South Street  ↦  (781) 736-2121