NIH Public Access Policy

Christina Hansen, Assistant Vice Chancellor

Bob Johnson, Research Librarian for Nursing & Allied Health

May 2008

UCI Libraries and Office of Research Administration

History

- Public Access Policy instituted May 2005
  - 12 month embargo
  - Policy was not mandatory
- Compliance rate less than 5%

The Law

- 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.*

  NIH Guide Notice for Public Access   (January 11, 2008 http://grants.nih.gov/grants/guide/notice-files/NOT-OD-08-033.html)

Details

- Mandatory
- "Each Principal Investigator and Institution is responsible for ensuring that the terms and conditions of their award are met" (http://publicaccess.nih.gov/FAQ.htm#e4)
- Final peer-reviewed manuscript
- Up to 12 month embargo from official date of publication
- Journal articles, research reports, and reviews

Goals of the NIH Policy

- **ACCESS** – Provide free electronic access to NIH-funded research publications

- **ARCHIVE** – Provide permanent archive of vital NIH-funded biomedical research results

- **ADVANCE SCIENCE** – Expand information resource for scientists to use in innovative ways

- **ACCOUNTABILITY** – Allow NIH to manage research productivity more effectively and transparently

Does This Mean Me?

- Yes, if any of the following are true:
  - 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
  - NIH pays your salary

Important Dates

- **April 7, 2008**
  - Submission is required for papers accepted for publication arising from NIH funding on or after this date

- **May 25, 2008**
  - NIH applications, proposals, and progress reports must include the PubMed Central reference number (PMCID) 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

What You Need to Do to Comply

- **Address the Copyright.** Ensure that your copyright transfer agreement allows for submission to NIH's PubMed Central.

- **Submit to NIH.** Have your article submitted to NIH through the NIH Manuscript Submission system either by yourself, by a third-party, or by the publisher.

- **Cite the PubMed Central Reference.** Use the PMCID when citing your articles in NIH applications, proposals, or progress reports that fall under the policy.

What Happens if You Don't Comply

- Compliance with this Policy is a statutory requirement and a term and condition of the grant award and cooperative agreement, in accordance with the *NIH Grants Policy Statement*.

- Compliance with the NIH Public Access Policy is not a factor in the evaluation of grant applications. Non-compliance will be addressed administratively, and may **delay** or **prevent** awarding of funds.

How Can UCI Help?

- Advise authors and answer questions on complying with the NIH policy
- Assist in amending copyright transfer agreements
- Research publisher's policies on PMC or institutional repository submissions
- Identify publishers (in your subject area) that submit to PMC on the author's behalf
- Locate citation information and PMCIDs
- Provide group or personal presentations on the NIH policy and/or Open Access issues.

Support From UCI

- Informational websites
  - UCI Libraries
    http://www.lib.uci.edu/scamp/nih-guide.html
  - UCI Office of Research
    http://www.research.uci.edu/ora/sp/NIHopenaccess.htm
- Email
  - nihgroup@uci.edu
- University of California Letter To Publishers
  Signed by William Tucker, Executive Director, Research Administration and Technology Transfer

Retaining Your Author Rights

- Review your copyright transfer agreements carefully
  - NIH recommends that authors check agreements prior to submitting to a particular publisher for article review
- Must contain language that allows submission to PubMed Central
- If agreement does not allow NIH submission:
  - Insert NIH suggested language, OR
  - Use the University of California Letter to Publishers

Retaining Your Author Rights

- Add the following language recommended by the NIH: *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.*

- Sign Copyright Transfer Agreement

- Immediately below your signature add: Subject to added language

- Attach the [University of California Letter to Publishers](#) to your copyright transfer agreement

- Sign the Copyright Transfer Agreement

- Immediately below your signature add the following: Subject to attached addendum

Article Submission

- Submit your article using the NIH Manuscript Submission form. The following information is needed for the submission:
  - PI name and email address
  - Title of the journal
  - Title of manuscript
  - Grant number(s)
  - Manuscript files (Word, Excel, PPt, TIFF, GIF, JPEG, PDF, etc.)
  - Embargo/Delay Time period

Final Manuscript Vs. Final Article

- **Final Peer-Reviewed Manuscript**: The Investigator's final manuscript of a peer-reviewed article accepted for journal publication, including all modifications made by the author from the peer review process.

- **Final Published Article**: The journal's authoritative copy of the article, including all modifications from the publishing peer review process, copyediting and stylistic edits, and formatting charges.

Submission Process Overview

- Authors or a third party can log on to the NIHMS to submit a copy of the accepted peer-reviewed manuscript and associated files (e.g., Microsoft Word document and figures).

- The submitter designates the NIH funding that supported the manuscript.

- The PI of the designated funding approves the submission, and affirms that copyright allows deposit to PMC.

- The NIHMS will convert the deposited files into a standard PMC format, and will email the PI to review the PMC-formatted manuscript to make any necessary corrections and approve its release.

- The NIHMS will automatically send the article to PubMed Central for public posting after the delay period specified during submission.

Contacts

- Office of Research
  - Contract and Grant Officer assigned to your department
  - General information number – 949-824-4768
  - Assistant Vice Chancellor Christina Hansen – 949-824-5677

- UCI Libraries
  - nihgroup@uci.edu
  - Reference Desks
    - Grunigen Medical Library – 714-456-5583
    - Langson Library – 949-824-4976
    - Science Library – 949-824-3705