



SCIENCE FOR THE BENEFIT OF HUMANITY

Memorandum

RE: National Institutes of Health Public Access Policy Implementation

DATE: April 18, 2008

A new National Institutes of Health Public Access Policy requires that certain peer reviewed publications arising out of NIH-funded research be available on PubMed Central no later than 12 months after journal publication.¹ PubMed Central is the NIH free digital archive of biomedical and life sciences journal literature.

I. Key Dates

April 7, 2008

As of this date, the new policy was in force.

May 25, 2008

As of this date, an application, proposal or progress report submitted to the NIH must include a PubMed Central reference number or NIH Manuscript Submission number (available from NIH) when the investigator cites **article(s) that are subject to the policy.**

II. Manuscripts/Articles Subject to this Policy

A peer reviewed article is subject to this policy if

- It is accepted for publication on or after April 7, 2008 **and**
- The research reported in the article is funded by an NIH contract signed on or after April 7, 2008 **or**
- The research reported in the article is funded by an NIH grant or cooperative agreement active on October 1, 2007 or thereafter.

III. Submitting your article for consideration by a journal

Investigators should contact Rockefeller's Markus Library (Carol Feltes) at pubsubmit@rockefeller.edu when submitting to a journal any manuscript that reflects research

¹ HHMI requires its investigators to make their articles available for PubMed Central publication no later than six (6) months after journal publication. Throughout this memo, the 12 month federal policy will be referenced. For HHMI investigators, HHMI policy will be controlling.

funded in whole or in part by NIH.. The Library should be told the title of your manuscript and the name of the journal to which the manuscript is being sent.

The Investigator should send to the journal, along with the manuscript, a copy of a **Note to Publisher** (attached to this memo) alerting the journal to the fact that the manuscript is subject to the new NIH Policy.

The Library will notify the Office of the General Counsel (Terry Solomon) of the submission of each manuscript subject to the new NIH Policy. Ms. Solomon will review the journals' copyright policies to learn whether they are consistent with the NIH Policy.

IV. Steps to compliance with the new NIH Public Access Policy

The policy was adopted by NIH without buy-in of the full community of domestic and foreign journals. Some journals will facilitate compliance with the policy and do all steps necessary to deliver articles for publication in PubMed Central. An NIH List of Journals naming those that will do so is available at: http://publicaccess.nih.gov/submit_process_journals.htm. Those journals have adopted copyright policies consistent with public access and will submit published articles covered by the new Policy directly to NIH. Until the system shakes out, there remain many journals that will neither submit articles to NIH nor voluntarily amend their copyright policies to allow investigators to do so.

Depending on the journal that accepted your article, the Library, having been notified that you submitted for publication an article subject to the NIH Public Access Policy will reply to you with one of the following (A, B or C) messages:

Message A. The journal is on the NIH List of Journals.

Because the journal is on the NIH List of Journals, should your article be accepted, the copyright agreement given to you by the journal will comply with the NIH Policy. The publisher will submit the final published article to the NIH Manuscript Submission system (NIHMS) on your behalf. You need take no steps to comply with the NIH submission requirement. The Markus Library will periodically check to see if the article has successfully been submitted through NIHMS to PubMed Central. When a PubMed Central reference number has been assigned to your article, the Library will email the number to you. You may check the AbstractPlus view of PubMed Central (<http://www.ncbi.nlm.nih.gov/PubMed/>) to see if the article has been successfully submitted to PubMed Central and a PubMed Central reference number has been assigned. This is important since once the PubMed Central reference number is available, all future submissions to NIH that cite this work by the principal investigator must be identified by this reference number. **OR**

Message B. The journal, though it is not on the NIH List of Journals, will timely submit the final peer-reviewed manuscript to NIH on your behalf.

i) Unlike those on the NIH List of Journals, these journals will not submit to NIHMS the article as published in the journal nor will these journals necessarily have copyright policies consistent with the new NIH Policy requirements. As noted, should your article be accepted, these journals will submit to NIHMS the final peer-reviewed manuscript for posting on PubMed Central.

ii) When you receive the publisher's copyright agreement, please send it to Ms. Solomon for review. To assure proper copyright arrangements, do not sign the journal's copyright agreement until you have clearance to do so from Ms. Solomon.

iii) The corresponding author on the paper and/or the principal investigator will receive notices from NIHMS when the journal sends in the final peer-reviewed manuscript. Due to explicit NIH requirements, these notices cannot be sent to the Library or to the Office of the General Counsel. Such notices must be acted upon promptly as instructed by NIH in order to complete the submission process. Only after the corresponding author and/or the principal author takes the steps requested by NIH will the manuscript be deemed by NIH to be submitted.

iv) The Markus Library will periodically check to see if the article has been submitted successfully to PubMed Central. If a PMCID number has been assigned, the Library will send you the number by email. You may check the AbstractPlus view of PubMed Central (<http://www.ncbi.nlm.nih.gov/PubMed/>) to see if the article has been successfully submitted to PubMed Central and a PubMed Central reference number has been assigned. This is important since once the PubMed Central reference number is available, all future submissions to NIH that cite this work by the principal investigator must be identified by this reference number. **OR**

Message C. The Markus Library will submit your manuscript to the NIHMS for you.

i) Should your article be accepted, promptly send the accepted final peer-reviewed manuscript and associated files (e.g., Microsoft Word document and figures) in electronic form and the numbers of the NIH grant(s) that supported the manuscript to the Library at pubsubmit@rockefeller.edu. The Library will notify Ms. Solomon that your article has been accepted for publication.

ii) When you receive the publisher's copyright agreement, please send it to Ms. Solomon for review. To assure proper copyright arrangements, do not sign the journal's copyright agreement until you have clearance to do so from Ms. Solomon.

iii) The principal investigator will receive notices from NIHMS when the Library sends in the final peer-reviewed manuscript. Due to explicit NIH requirements, these notices cannot be sent to the library or to the Office of the General Counsel. Such notices must be acted upon promptly as instructed by NIH in order to complete the submission process. Only after you take these steps will your manuscript be deemed by NIH to be submitted.

iv) The Markus Library will periodically check to see if the article has successfully been submitted to PubMed Central, and, if a PubMed Central reference number has been assigned, will send you the number by email. You may check the AbstractPlus view of PubMed Central (<http://www.ncbi.nlm.nih.gov/PubMed/>) to see if the article has been successfully submitted to PubMed Central and a PubMed Central reference number has been assigned. This is important since once the PubMed Central reference number is available, all future submissions to NIH that cite this work by the principal investigator must be identified by this reference number.

V. Responsibility for compliance among co-authors at different institutions

Each principal investigator(s) is responsible for compliance with the new NIH policy. As a practical matter, however, the corresponding author or someone acting on behalf of the corresponding author should assure that either the journal is on the NIH List of Journals or that all steps necessary for submission to NIHMS have been met. An article need be submitted only once to the NIHMS. The

Library and/or the Office of General Counsel can answer your questions if you find yourself in this situation. You may check the AbstractPlus view of PubMed Central (<http://www.ncbi.nlm.nih.gov/PubMed/>) to see if the article has been successfully submitted to PubMed Central and a PubMed Central reference number has been assigned. This is important since once the PubMed Central reference number is available, all future submissions to NIH that cite this work by the principal investigator must be identified by this reference number.

VI. How to cite an article in NIH application, proposals, and progress reports if a PubMed Central reference number has not been assigned

An NIH Manuscript Submission system reference number (NIHMS ID) assigned by NIH at the time of article submission into the NIHMS system may be used for citation in NIH applications, proposals and progress reports, only if the PubMed Central reference number is not yet available. For articles where a NIHMS ID is not available (i.e., all articles submitted by a journal on the NIH List of Journals) you should use “PMC journal-in process” only if the PubMed Central reference number is not yet available. A few weeks after your article is published, the PubMed Central reference number will be available in the lower right corner of the AbstractPlus view of PubMed (<http://www.ncbi.nlm.nih.gov/PubMed/>).

*

*

*

There are additional downstream requirements of the new NIH policy that are not described here. The University will give further guidance on those processes in the coming weeks. Rather than create a cumbersome process for meeting requirements to be implemented some months from now, it seems preferable to wait for problems in the new system to be identified and for simplification measures to be adopted at the national/international level. Questions and answers are emerging daily. The Markus Library, Carol Feltes, and the Office of the General Counsel, Terry Solomon, are in touch directly with NIH and with other research institutions.

Some of your questions may be answered at the NIH Public Access Frequently Asked Questions website at <http://publicaccess.nih.gov/FAQ.htm> and the NIH online tutorials at <http://www.nihms.nih.gov/web-help/index.html>.