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# New NIH Reporting Requirements

## Introduction

Recipients of funding from the National Institutes of Health (NIH) should be aware of a new reporting requirement (<http://grants.nih.gov/grants/guide/notice-files/NOT-OD-08-033.html>) that went into effect on **April 7, 2008**. Principal investigators must ensure that electronic versions of any peer-reviewed manuscripts arising from NIH funding and accepted for publication after that date are deposited in PubMed Central (PMC), NIH's digital archive of biomedical and life sciences journal literature. Full text of the articles will then be made freely available to the public no later than 12 months after publication. The requirement applies to any NIH direct funding, including grants, contracts, training grants, subcontracts, etc. In addition, beginning May 25, 2008, anyone submitting an application, proposal, or progress report to NIH must include the PMC or NIH Manuscript Submission Reference Number when citing applicable articles that arise from their NIH-funded research.

## Who is affected?

The Policy applies to you if your peer-reviewed article is based on work in one or more of the following categories:

1. Directly funded by a 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.

## Important information on rights

NIH stresses that it is your responsibility, as the author, to ensure that you have the right to deposit your manuscript with PMC. Some publishers require that you transfer copyright prior to acceptance of publication; NIH warns that you should avoid such journals if their contract does not allow you to deposit articles in PubMed Central. Other publishers in their publication agreements ask you to warrant that there are no prior agreements concerning the publication and that the publisher will own all rights. If you submit a manuscript to PMC prior to signing such an agreement, you would be in breach of the agreement and in violation of NIH policy. If your publisher does not participate in PMC, there are three approaches you can follow to be in compliance:

<b>Approach 1</b>	Read your publication agreement carefully. Make sure that you have the right to deposit your article with PMC. The SHERPA/RoMEO site at <a href="http://www.sherpa.ac.uk/romeo.php">http://www.sherpa.ac.uk/romeo.php</a> has information on the policy of many journals regarding PMC deposit.
<b>Approach 2</b>	If there is any question about your rights, add the following language to the publication agreement: " <i>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.</i> "
<b>Approach 3</b>	Alternatively, attach the Scholar's Copyright Delayed Access Addendum to the publication contract. The Addendum is a legal instrument that acknowledges any prior grants (including those required by funding agencies). It also provides you with other important rights, including the right to use your article in your own teaching and research, the right to build on the article in future publications, and the right to deposit the PDF version from the publisher with PMC. An online engine that generates the Addendum is found at <a href="http://scholars.sciencecommons.org/">http://scholars.sciencecommons.org/</a> . Note that the engine currently creates an agreement with a six month delay; this can be changed manually if the journal insists on PMC delaying access for the full twelve months.

## Complying with the new requirement

<b>Publish with a journal that participates in PubMed Central</b>	<p>The easiest way to contribute articles to PMC is to publish in a journal that automatically transfers copies of published articles to the repository. <i>Nothing else is required of you.</i></p> <p><b>*The list of journals that participate in PubMed Central is found at*</b> <a href="http://publicaccess.nih.gov/submit_process_journals.htm">http://publicaccess.nih.gov/submit_process_journals.htm</a></p>
<b>Publish with a journal that will deposit manuscripts for you</b>	<p>Some publishers, while not participating in PubMed Central themselves, will upon request send copies of manuscripts to PMC. Elsevier has had a <a href="#">policy</a> since 2006 to submit articles to PMC on the author's behalf; other examples of such programs are Blackwell Publishing's <a href="#">Online Open</a>, Oxford Journals' <a href="#">Oxford Open</a>, and Springer's <a href="#">Open Choice</a>. Cornell University Library staff can help you determine if a particular journal will deposit articles on your behalf.</p> <p>If the publisher deposits only your manuscript, rather than the final published version of the article, you will still have to sign onto the NIH Manuscript Submission System (<a href="http://www.nihms.nih.gov/">http://www.nihms.nih.gov/</a>) to review and approve release of the article to PubMed Central.</p>
<b>Submit the manuscript yourself</b>	<p>If the journal in which you are publishing does not deposit either the published or manuscript version of your article, you will need to do it yourself using the NIH Manuscript Submission System. Depositing a manuscript takes only a few minutes and can be done by the primary investigator or a third-party. Here are some things to keep in mind.</p> <ul style="list-style-type: none"><li>• <b>What to submit:</b> An electronic version of the final, peer-reviewed manuscript, including all graphics and supplemental material associated with the article. Note that you will need the permission of the publisher to submit a PDF provided by them.</li><li>• <b>When to submit:</b> Upon acceptance for publication.</li><li>• <b>How to submit:</b> Go to <a href="http://www.nihms.nih.gov/">http://www.nihms.nih.gov/</a>, label the manuscript with the correct author names, grant #, etc., and then submit.</li></ul>

### How the new reporting requirement will help you

The new requirement should work to the benefit of Cornell authors. Deposit in PMC ensures that the research results will be preserved in a state-of-the-art digital repository. Free access after 12 months will maximize the visibility of your research and ensure that researchers and students around the world will be able to read and build on your work, regardless of their (or their library's) ability to subscribe to the journal in which the research is published. Preliminary research suggests that articles that are freely available are cited more often and have a greater impact rating than articles that are locked away behind subscription walls. As David Shulenburger, Vice President for Academic Affairs at the National Association of State Universities and Land-Grant Colleges (NASULGC), has noted, "public access to publicly funded research contributes directly to the mission of higher education. Improved access will enable universities to maximize their own investment in research and widen the potential for discovery as the results are more readily available for others to build upon."

In 2005, the CU Faculty Senate strongly urged "all faculty to deposit preprint or postprint copies of articles in an open access repository such as the Cornell University DSpace Repository or discipline-specific repositories such as arXiv.org." PubMed Central is such a repository.

### More information

NIH has prepared an FAQ on the new reporting requirements at <http://publicaccess.nih.gov/>. For more information on the NIH reporting requirements, journal practices regarding deposit, or the use of the Scholar's Copyright Addendum engine, check the CU NIH Mandate Web site at <http://www.library.cornell.edu/nihmandate.html> or contact specialists in the Cornell University Library at [nihmandate@cornell.edu](mailto:nihmandate@cornell.edu).