

## Sample Submission Letter to Publisher

*The following sample letter illustrates an approach that would notify publishers that an article that is being submitted for consideration is based on NIH-funded research and therefore must be made accessible to the public under the NIH's new policy.*

Dear publisher,

Thank you for your attention to the enclosed submission. This article is based on research at The University of Arizona that is funded in whole or in part by grants from the National Institutes 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:

- You, as the publisher, have signed a PubMed Central participation agreement and will submit the final published article directly to PubMed Central for release within 12 months. In this case, we need only ask to be informed when submission is complete so that the required reference number(s) that must be used in subsequent NIH applications can be obtained. *Or*
- Where the author must take responsibility for deposit, or where you, as publisher, submit only the final author's version of the article to PMC on their behalf, we ask that the publication contract sent to the author upon acceptance include language that allows he or she 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, the article can be made public through PMC. The author will deposit the article in PMC, if necessary, and will verify the final PMC text. *Or*
- 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.*

Again, please inform us of an applicable embargo up to the allowed 12-month delay. We will deposit the article in PMC.

It is our hope that one of these options will be employed to ensure that we can cooperate to comply with the mandate. However, since this is a requirement of the current and future NIH funding which supports a great deal of research at The University of Arizona, we must ensure that our authors comply with the Public Access Policy. If you accept this article for publication and none of the above options have been implemented, we will ask our authors to include the italicized passage above from the NIH as an additional term of any contract they sign and will proceed with depositing the article in PMC.

Thank you for your consideration and cooperation.

Sincerely,

Sample letter is adapted from the ARL preprint version of:  
Managing Copyright for NIH Public Access: Strategies to Ensure Compliance  
by Kevin L. Smith, Scholarly Communications Officer, Duke University  
(revised April 11, 2008)