

UNITED STATES PUBLIC HEALTH SERVICE TECHNOLOGY TRANSFER POLICY MANUAL

Chapter No. 503A

NIH Simple Letter Agreement (SLA)

A. PURPOSE:

This Manual Chapter describes the purpose and use of the Model National Institutes of Health (NIH) Simple Letter Agreement (SLA).

B. BACKGROUND:

Open access to the results of federally-funded research is a cornerstone of the NIH research policy. In the case of many research projects, this includes not only access to information provided through publications, but also access to biological materials and transgenic organisms necessary to replicate or build on initial research results. Model material transfer agreements (MTAs) that are approved by NIH assist to facilitate the access to NIH-funded materials as well as reduce the administrative burden in such transfers. The majority of transfers to not-for-profit entities should be implemented under terms no more restrictive than the Uniform Biological Material Transfer Agreement. (See PHS Policy Chapter 502). Unique research materials that arise from biomedical research are often essential resources to other researchers. As a valuable resource, these materials must be managed in a way that promotes their responsible and fair distribution. As used herein, an MTA is a written document to facilitate the free transfer of materials between both non-profit and profit researchers and their organizations. In order to guide and facilitate the increasing number of MTAs between scientists in separate organizations, the NIH SLA ensures that unique research resources arising from NIH-funded research are made available to the scientific research community.

In 1997, a Working Group of the Advisory Committee to the NIH Director was established to look into problems encountered in the dissemination and use of unique research resources, the competing interests of intellectual property owners and research tool users, and possible NIH responses. One of the recommendations of the Working Group was that NIH issue guidance to its funding recipients to help them achieve the appropriate balance. The resulting “Principles and Guidelines for Recipients of NIH Research Grants and Contracts on Obtaining and Disseminating Biomedical Research Resources” were developed and published in final form in 1999. (Federal Register, Vol. 64, No. 246, 12/23/1999) This guidance included the SLA as a free-standing, one page, uniform material transfer agreement.

Recipients of NIH funding are expected to ensure that unique research resources arising from NIH-funded research are made available to the scientific research community. The majority of transfers to not-for-profit entities should be implemented under terms no more restrictive than the Uniform Biological Material Transfer Agreement (UBMTA) or the SLA. Furthermore, because each iteration in negotiation over the terms of a MTA delays the time when a research tool may be put to use in the laboratory, recipients of NIH funding are encouraged to adopt the SLA as their institution's model material transfer agreement.

The SLA is the preferred MTA model for use by the NIH intramural program for transfers of its non-human, non-animal, and non-hazardous research materials to not-for-profits for their research and teaching purposes.

C. EFFECTIVE DATE:

The NIH Simple Letter Agreement was first approved in 1999. This chapter was approved by the PHS Technology Transfer Policy Board on March 8, 2012.

D. ADDITIONAL INFORMATION

For further information on this Manual Chapter, contact the Office of Technology Transfer, NIH, (301)496-7057 or <http://www.ott.nih.gov/contact-us>.

A copy of the SLA can be found at:
<http://www.ott.nih.gov/forms-model-agreements>