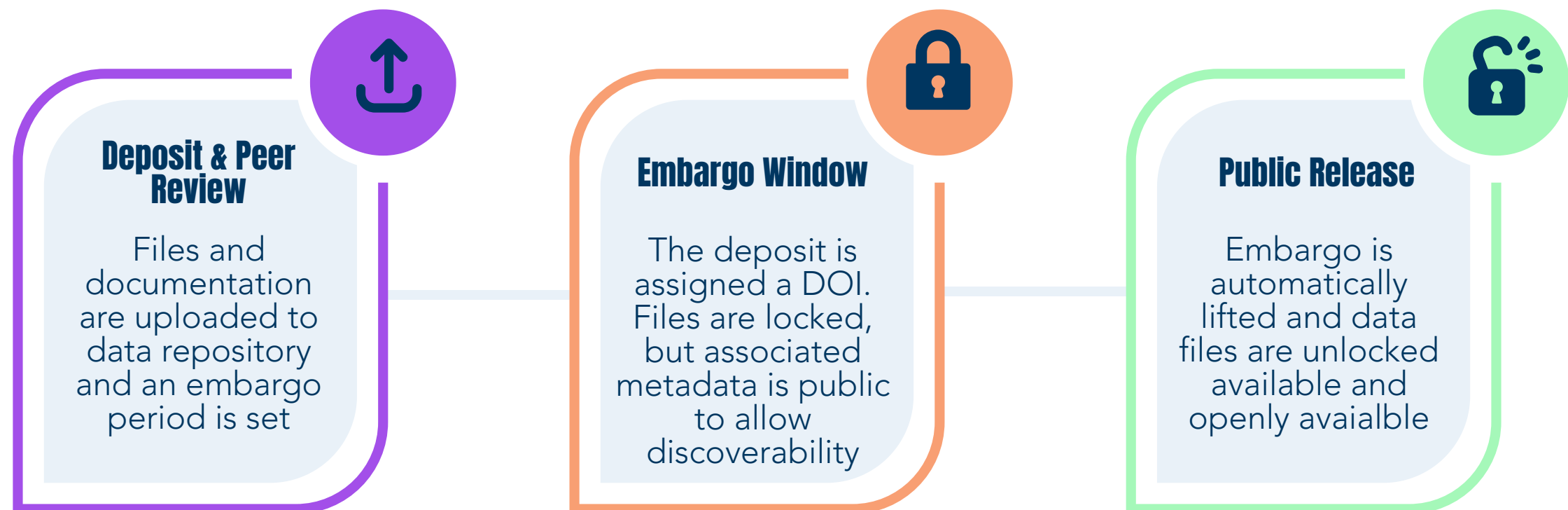


Data Embargoes: What You Need to Know

Data embargoes add a timed lock to your deposited data—visible and discoverable, but not downloadable until the embargo ends. They can help protect competitive advantage and support legal and ethical compliance. Learn key considerations and how recent federal policy shifts have significantly shortened allowable embargo periods for federally funded research.

HOW DO EMBARGOES WORK?



WHY EMBARGOES?

- ✱ To reduce the risk of others publishing findings from the data ahead of the original researchers
- ✱ To comply with journal peer-review requirements
- ✱ To meet temporary and agreed-upon legal, ethical, or contractual obligations (e.g., IRB requirements, sponsor agreements)

EMBARGOES vs CONTROLLED ACCESS

Embargoes should not be used as a substitute for long-term access controls since they are time-bound and automatically lifted. It is worth noting that not all data repositories support both options:

	Embargo	Controlled Access
Duration	Varies, but has fixed end date	Indefinite, ongoing
What triggers release	Calendar date	Approved application
Who approves access	Lifts automatically	Data steward or committees
Legal mechanism	Deposit agreement with repository	Data use agreement (DUA) and IRB
Data reuse	Anyone	Pre-authorized users

REPOSITORIES SUPPORTING EMBARGOES



RECENT CHANGES

Federally mandated embargoes on publications are being eliminated across major US agencies and funders:

- ✱ OSTP Nelson Memo (2022): Eliminated the 12-month embargo on federally funded publications and supporting data
- ✱ NIH (eff. July 1, 2025): Manuscripts deposited in PubMed Central upon acceptance; no embargo at publication
- ✱ NSF (eff. Dec. 8, 2025): Manuscripts deposited in NSF repository at time of publication; no fees required
- ✱ DOE (FY2025): Transition year; immediate public access now required, replacing the prior 12-month embargo

These changes also reshape data embargoes, which are increasingly used as short-term tools to coordinate peer review rather than as long-term gatekeeping mechanisms.

IMPORTANT CONSIDERATIONS

- ✱ Plan your embargo in your Data Management Plan (DMP) before data collection begins
- ✱ Clearly state reasonable explanations for the embargo (e.g., pending publication, patent application, or privacy considerations)
- ✱ The embargo period determination follows a structured mix of policy rules, community standards, and case-by-case judgment
- ✱ Check for the current policies; federal mandates now largely prohibit extended embargoes



Schedule a consultation with us: rds@library.ucsb.edu