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## **University of California Academic Council Statement on the University Libraries' Negotiations with Publishers Regarding Fair Use, Text and Data Mining, and Artificial Intelligence Usage Rights**

At its April 24 meeting, the Academic Council of the University of California Academic Senate, the chief executive body of faculty governance across all ten UC campuses, unanimously endorsed the following statement on the UC Libraries' Negotiations with Publishers Regarding Fair Use, Text and Data Mining, and Artificial Intelligence Usage Rights. The statement was developed and proposed by the [University Committee on Library and Scholarly Communication \(UCOLASC\)](#).

*The Academic Council of the Academic Senate of the University of California (UC) hereby communicates its commitment to support the UC Libraries' negotiating position to preserve fair use rights when licensing electronic resources—including the fair use rights to conduct computational research and utilize artificial intelligence tools in academic studies and scholarship. Preserving fair use in research and teaching will protect UC scholars' abilities to make discoveries that further the pursuit of knowledge.*

### **Background to the Statement**

UCOLASC's 2018 [Declaration of Rights and Principles to Transform Scholarly Communication](#), endorsed by the Academic Council, emphasizes the importance of protecting the fair use exception to copyright for research, educational, and scholarly purposes, and for protecting fair use rights in negotiations with publishers.

Since the declaration six years ago, publishers have increasingly attempted to restrict fair use through library license agreements. Some seek to impose additional fees for or preclude altogether fair use activities, such as employing text and data mining in computational research or the use of artificial intelligence (AI) tools in research. Such restrictions can impede freedom of inquiry, exacerbate bias in research, and amplify the perspectives of a narrow group of creators due to limited research materials. Moreover, these restrictions put UC researchers at a disadvantage compared to colleagues in other countries such as those within the European Union, where contracts cannot nullify copyright exceptions for research. The Academic Council strongly supports the UC Libraries' efforts to preserve fair use exception rights when licensing

electronic resources, including the rights for computational research and the use of AI tools in academic scholarship.

Sincerely,

A handwritten signature in purple ink, appearing to read 'J. Steintrager', with a stylized flourish at the end.

James Steintrager, Chair  
Academic Council

Cc: Academic Council  
President Drake  
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