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Copyright Royalty Board

37 CFR Part 386

[Docket No. 25-CRB-0011-SA COLA (2026)]

Cost of Living Adjustment to Satellite Carrier Compulsory License Royalty Rates

AGENCY: Copyright Royalty Board (CRB), Library of Congress.

ACTION: Final rule; cost of living adjustment.

SUMMARY: The Copyright Royalty Judges announce a cost of living adjustment (COLA) of 2.9% in the royalty rates satellite carriers pay for a compulsory license under the Copyright Act. The COLA is based on the change in the Consumer Price Index from October 2024 to September 2025.

DATES: *Effective date:* [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER]

Applicability dates: These rates are applicable to the period January 1, 2026, through December 31, 2026.

FOR FURTHER INFORMATION CONTACT: Anita Brown, CRB Program Specialist, (202) 707-7658, crb@loc.gov.

SUPPLEMENTARY INFORMATION: The satellite carrier compulsory license establishes a statutory copyright licensing scheme for the distant retransmission of television programming by satellite carriers. 17 U.S.C. 119. Congress created the license in 1988 and reauthorized the license for additional five-year periods until 2019 when it made the license permanent.¹

¹ The most recent five-year reauthorization was pursuant to the STELA Reauthorization Act of 2014, Public Law 113-200. The license was made permanent by the Satellite Television Community Protection and Promotion Act of 2019, Pub. L. 116-94, div. P, title XI, § 1102(a), (c)(1), 133 Stat. 3201, 3203.

On August 31, 2010, the Copyright Royalty Judges (Judges) adopted rates for the section 119 compulsory license for the 2010–2014 term. *See* 75 FR 53198. The rates were proposed by Copyright Owners and Satellite Carriers² and were unopposed. *Id.* Section 119(c)(2) of the Copyright Act provides that, effective January 1 of each year, the Judges shall adjust the royalty fee payable under section 119(b)(1)(B) “to reflect any changes occurring in the cost of living as determined by the most recent Consumer Price Index (for all consumers and for all items) [CPI–U] published by the Secretary of Labor before December 1 of the preceding year.” Section 119 also requires that “[n]otification of the adjusted fees shall be published in the Federal Register at least 25 days before January 1.” 17 U.S.C. 119(c)(2).

The change in the cost of living as determined by the CPI-U during the period from the most recent index published before December 1, 2024, to the most recent index published before December 1, 2025, is 2.9%.³ Application of the 2.9% COLA to the current rate for the secondary transmission of broadcast stations by satellite carriers for private home viewing — 36 cents per subscriber per month — results in a rate of 37 cents per subscriber per month (rounded to the nearest cent). *See* 37 CFR 386.2(b)(1). Application of the 2.9% COLA to the current rate for viewing in commercial establishments — 74 cents per subscriber per month — results in a rate of 76 cents per subscriber per month (rounded to the nearest cent). *See* 37 CFR 386.2(b)(2).

List of Subjects in 37 CFR Part 386

² Program Suppliers and Joint Sports Claimants comprised the Copyright Owners while DIRECTV, Inc., DISH Network, LLC, and National Programming Service, LLC, comprised the Satellite Carriers.

³ The CPI-U announced on October 24, 2025, by the Bureau of Labor Statistics in its *Consumer Price Index News Release – Consumer Price Index*, is available at <https://www.bls.gov/news.release/pdf/cpi.pdf> at Table 1 (last viewed Nov. 25, 2025). The Copyright Royalty Judges note that the October 24, 2025, publication is the most recent CPI-U published by the Secretary of Labor before December 1 of the preceding year of this COLA adjustment (i.e. 2026). The Bureau of Labor statistics has explained “BLS could not collect October 2025 reference period survey data due to a lapse in appropriations.” *See* <https://www.bls.gov/bls/2025-lapse-revised-release-dates.htm>. The change in the cost of living during the period from the most recent index published prior to the previous notice to the most recent index published prior to December 1 of this year i.e. the change from October 2024 to September 2025 is 2.9% ((324.800-315.664)/ 315.664).

Copyright, Satellite, Television.

Final Regulations

In consideration of the foregoing, the Judges amend part 386 of title 37 of the Code of Federal Regulations as follows:

PART 386—ADJUSTMENT OF ROYALTY FEES FOR SECONDARY TRANSMISSIONS BY SATELLITE CARRIERS

1. The authority citation for part 386 continues to read as follows:

Authority: 17 U.S.C. 119(c), 801(b)(1).

2. Section 386.2 is amended by adding paragraphs (b)(1)(xvii) and (b)(2)(xvii) to read as follows:

§ 386.2 Royalty fee for secondary transmission by satellite carriers.

* * * * *

(b) * * *

(1) * * *

(xvii) 2026: 37 cents per subscriber per month.

(2) * * *

(xvii) 2026: 76 cents per subscriber per month.

Dated: November 26, 2025.

Christina L. Shifton
Interim Chief Copyright Royalty Judge.

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