



Copyright Royalty Board

37 CFR Part 383

[Docket No. 23-CRB-0013-NSR (2026-2030)]

Adjustment to Sound Recordings by New Subscription Services and Ephemeral Recordings to Facilitate Those Performances License 2026 Royalty Rates

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

ACTION: Final Rule – Technical Amendment.

SUMMARY: The Copyright Royalty Judges announce an adjustment (based on CPI-U figures) in the royalty for the digital performances of sound recordings by new subscription services and for the making of ephemeral recordings necessary to facilitate those transmissions.

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, 2030.

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

SUPPLEMENTARY INFORMATION: Sections 112(e) and 114(f) of the Copyright Act, title 17 of the United States Code, create statutory licenses for certain digital performances of sound recordings and the making of ephemeral reproductions to facilitate transmission of those sound recordings. On March 10, 2026, the Copyright Royalty Judges (Judges) adopted final regulations governing the rates and terms of copyright royalty payments under those licenses for the license period 2026–2030 for the digital performances of sound recordings by new subscription services and for the

making of ephemeral recordings necessary to facilitate those transmissions. *See* 91 FR 11471.

Pursuant to those regulations, the calculation of the rate for each year shall be cumulative based on a calculation of the percentage increase in the CPI-U from the CPI-U published in November 2024 (CPI-U%) and shall be made according to the following formulas: (A) For Stand-Alone Contracts, $(1 + (C_y - 315.664) / 315.664) \times \0.0234 ; and (B) For Bundled Contracts, $(1 + (C_y - 315.664) / 315.664) \times \0.0390 ; and (ii) For both formulas, C_y is the CPI-U published by the Secretary of Labor before December 1 of the preceding year. The adjusted rate shall be rounded to the nearest fourth decimal place. *See* 37 CFR 385.3.

The CPI-U published by the Secretary of Labor from the most recent index published before December 1, 2025, is 324.800.¹ Applying the formulas above, adjusted rates for 2026 are \$0.0241 for standalone contracts and \$0.0401 for bundled contracts.

List of Subjects in 37 CFR Part 383

Copyright, Sound Recordings, Webcasters.

Final Regulations

In consideration of the foregoing, the Copyright Royalty Board amends part 383 of title 37 of the Code of Federal Regulations as follows:

PART 383—RATES AND TERMS FOR SUBSCRIPTION TRANSMISSIONS AND THE REPRODUCTION OF EPHEMERAL RECORDINGS BY CERTAIN NEW SUBSCRIPTION SERVICES

¹ 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/archives/cpi_10242025.htm. 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 (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>.

1. The authority citation for part 383 continues to read as follows:

Authority: 17 U.S.C. 112(e), 114, 801(b)(1).

2. Amend § 383.3 by revising paragraphs (a)(1) and (2) to read as follows:

§ 383.3 Royalty fees for public performances of sound recordings and the making of ephemeral recordings.

(a) * * *

(1) For Stand-Alone Contracts, a monthly payment of \$0.0241 per Subscriber to the Service of such Licensee, which is equivalent to the 2025 royalty rate of \$0.0234, as adjusted by the annual royalty fee adjustment in paragraph (b) of this section.

(2) For Bundled Contracts, a monthly payment of \$0.0401 per Subscriber to the Service of such Licensee, which is equivalent to the 2025 royalty rate of \$0.0390, as adjusted by the annual royalty fee adjustment in paragraph (b) of this section.

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Dated: March 25, 2026.

Trevor Jefferson,
Interim Chief Copyright Royalty Judge.

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