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Executive Order 13132, “Federalism”

E.O. 13132 establishes certain requirements that an agency must meet when it promulgates an interim final rule that imposes substantial direct requirement costs on State and local governments, preempts State law, or otherwise has federalism implications. This rule will not have a substantial effect on State and local governments.

Executive Order 13175, “Consultation and Coordination With Indian Tribal Governments”

E.O. 13175 establishes certain requirements that an agency must meet when it promulgates an interim final rule that imposes substantial direct compliance costs on one or more Indian tribes, preempts tribal law, or effects the distribution of power and responsibilities between the Federal government and Indian tribes. This interim final rule will not have a substantial effect on Indian tribal governments.

List of Subjects in 32 CFR Part 161

Administrative practice and procedure, Armed forces, Military personnel, National defense, Privacy, Security measures.

Accordingly, DoD amends 32 CFR part 161 as follows:

PART 161—IDENTIFICATION (ID) CARDS FOR MEMBERS OF THE UNIFORMED SERVICES, THEIR DEPENDENTS, AND OTHER ELIGIBLE INDIVIDUALS

■ 1. The authority citation for part 161 is revised to read as follows:

Authority: 5 U.S.C. 5703, 10 U.S.C. 1061–1064, 1072–1074, 1074a–1074c, 1076, 1076a, 1077, and 1095(k)(2); 18 U.S.C. 499, 506, 509, 701, and 1001; 10 U.S.C. 1408(h), 1044a, and chapter 1223.

§ 161.3 [Amended]

■ 2. Amend § 161.3 by removing from the definition of *Spouse* the word “gender” and adding in its place the word “sex”.

§ 161.23 [Amended]

■ 3. Amend § 161.23 by:

- a. Removing paragraph (k) and Table 33 to Subpart D of Part 161;
- b. Redesignating paragraphs (l) through (n) as paragraphs (k) through (m) and redesignating Tables 34 through

38 to Subpart D of Part 161 as Tables 33 through 37 to Subpart D of Part 161;

- c. In newly redesignated paragraph (k), removing the text “Table 34” and adding in its place the text “table 33”;
- d. In newly redesignated paragraph (l), removing the text “Table 35” and adding in its place the text “table 34”;
- e. In newly redesignated paragraph (m)(1)(ii), removing the text “Tables 36 through 38” and adding in its place the text “tables 35 through 37”;
- f. In newly redesignated paragraph (m)(2), removing the text “Table 36” and adding in its place the text “table 35”;
- g. In newly redesignated paragraph (m)(3), removing the text “Gender”, “gender marker” and “Table 37” and adding in its place the text “Sex”, “sex code”, and “table 36”, respectively;
- h. In the heading of newly redesignated Table 36 to Subpart D of Part 161, removing the words “Gender Marker” and adding in their place the words “Sex Code”;
- i. In newly redesignated paragraph (m)(4), removing the text “Table 38” and adding in its place the text “table 37”.

Dated: November 26, 2025.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025–21723 Filed 11–28–25; 8:45 am]

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LIBRARY OF CONGRESS

Copyright Royalty Board

37 CFR Part 385

[Docket No. 25–CRB–0012–PR COLA (2026)]

Cost of Living Adjustment to Royalty Rates and Terms for Making and Distributing Phonorecords

AGENCY: Copyright Royalty Board, Library of Congress.

ACTION: Final rule; cost of living adjustment.

SUMMARY: The Copyright Royalty Judges announce a cost of living adjustment (COLA) in the royalty rates for the statutory license for making and distributing phonorecords of nondramatic musical works regarding physical phonorecords and Permanent Downloads.

DATES:

Effective date: December 1, 2025.

Applicability date: These rates and terms are applicable during the period from January 1, 2026, through December 31, 2026.

FOR FURTHER INFORMATION CONTACT:

Anita Brown, CRB Program Specialist, (202) 707–7658, crb@loc.gov.

SUPPLEMENTARY INFORMATION: Section 115 of the Copyright Act, title 17 of the United States Code, creates a statutory license for making and distributing phonorecords of nondramatic musical works. On December 16, 2022, the Copyright Royalty Judges (Judges) adopted final regulations governing the rates and terms of copyright royalty payments under that license for the license period 2024–2027 for making and distributing phonorecords of nondramatic musical works. *See* 87 FR 76942.

Pursuant to those regulations, at least 25 days before January 1 of each year, the Judges shall publish in the **Federal Register** notice of a cost of living adjustment (COLA) applicable to the royalty fees for making and distributing physical phonorecords and Permanent Downloads. *See* 37 CFR 385.11.

The adjustment in the royalty fee shall be based on a calculation of the percentage increase in the Consumer Price Index for All Urban Consumers (CPI–U) published in November 2022 (298.012)¹ (“base rate”) according to the following formulas: for the per-work rate, $(1 + (Cy - 298.012^2)/298.012) \times 12\text{¢}$, rounded to the nearest tenth of a cent; for the per-minute rate, $(1 + (Cy - 298.012)/298.012) \times 2.31\text{¢}$, rounded to the nearest hundredth of a cent; where Cy is the CPI–U published by the Secretary of Labor before December 1 of the preceding year. 37 CFR 385.11(a)(2). The CPI–U published by the Secretary of Labor from the most recent index published before December 1, 2025, is 324.800.³ Applying the formulas in 37 CFR 385.11(a)(2) results in an increase in the rates for 2026.

The adjusted rates for 2026 are 13.1 cents for the per-work rate and 2.52 cents for the per-minute rate.

List of Subjects in 37 CFR Part 385

Copyright, Phonorecords, Recordings.

¹ The CPI–U published in November 2022 is available at https://www.bls.gov/news.release/archives/cpi_11102022.htm at Table 1.

² Base rate.

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 on Nov. 25, 2015). 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> (last viewed on Nov. 25, 2025).

Final Regulations

In consideration of the foregoing, the Judges amend part 385 of title 37 of the Code of Federal Regulations as follows:

PART 385—RATES AND TERMS FOR USE OF NONDRAMATIC MUSICAL WORKS IN THE MAKING AND DISTRIBUTING OF PHYSICAL AND DIGITAL PHONORECORDS

- 1. The authority citation for part 385 continues to read as follows:

Authority: 17 U.S.C. 115, 801(b)(1), 804(b)(4).

- 2. Section 385.11 is amended by revising paragraph (a)(1) to read as follows:

§ 385.11 Royalty rates.

(a) * * *

(1) *2026 rate.* For the year 2026 for every physical phonorecord and Permanent Download the Licensee makes and distributes or authorizes to be made and distributed, the royalty rate payable for each work embodied in the phonorecord or Permanent Download shall be either 13.1 cents or 2.52 cents per minute of playing time or fraction thereof, whichever amount is larger.

* * * * *

Dated: November 26, 2025.

Christina L. Shifton,

Interim Chief Copyright Royalty Judge.

[FR Doc. 2025–21695 Filed 11–28–25; 8:45 am]

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LIBRARY OF CONGRESS

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: December 1, 2025.

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

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

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, Public Law 116–94, div. P, title XI, § 1102(a), (c)(1), 133 Stat. 3201, 3203.

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).

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

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.

[FR Doc. 2025–21694 Filed 11–28–25; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

48 CFR Part 1517

[EPA–HQ–OMS–2024–0148; FRL–12938–03–OMS]

Environmental Protection Agency Acquisition Regulation (EPAAR); Special Contracting Methods; Options; Contracts; Withdrawal

AGENCY: Environmental Protection Agency (EPA).

ACTION: Withdrawal of direct final rule.

SUMMARY: Due to the receipt of adverse comments on this action, the EPA is