

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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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

withdrawing the direct final rule “Environmental Protection Agency Acquisition Regulation (EPAAR); Special Contracting Methods; Options; Contracts,” published on September 22, 2025.

DATES: Effective December 2, 2025, the EPA withdraws the direct final rule published at 90 FR 45335 on September 22, 2025

FOR FURTHER INFORMATION CONTACT: Joshua Gardner, Policy Division, Policy Compliance Branch, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460; telephone number: 202–250–8739; email address: gardner.joshua@epa.gov.

SUPPLEMENTARY INFORMATION: Due to the receipt of adverse comments on this action, the Agency is withdrawing the direct final rule “Environmental Protection Agency Acquisition Regulation (EPAAR); Special Contracting Methods; Options; Contracts,” published on September 22, 2025. We stated in that direct final rule that if we received adverse comment by October 31, 2025, the direct final rule would not take effect and we would publish a timely withdrawal in the **Federal Register**. Because the EPA subsequently received adverse comment on that direct final rule, we are withdrawing the direct final rule.

Joan Rogers,
*Acting Director, Office of the Chief
Procurement Officer.*

List of Subjects in 48 CFR Part 1517

Environmental protection,
Government procurement.

PART 1517—SPECIAL CONTRACTING METHODS

■ Accordingly, effective December 2, 2025, the EPA withdraws the direct final rule amending 48 CFR 1517.204 which published at 90 FR 45335 on September 22, 2025.

[FR Doc. 2025–21713 Filed 11–28–25; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 140819686–5999–02; RTID 0648–XF241]

Fisheries of the Caribbean, Gulf of America, and South Atlantic; 2025 Commercial Closure for Gag in the South Atlantic

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Temporary rule; closure.

SUMMARY: NMFS implements an accountability measure for the commercial harvest of gag in South Atlantic Federal waters. NMFS projects that commercial landings of gag will reach the commercial annual catch limit (ACL) for 2025. Therefore, NMFS closes the commercial sector of gag in South Atlantic Federal waters to protect the gag resource from overfishing.

DATES: This temporary rule is effective from December 1, 2025, through December 31, 2025.

FOR FURTHER INFORMATION CONTACT: Mary Vara, NMFS Southeast Regional Office, telephone: 727–824–5305, email: mary.vara@noaa.gov.

SUPPLEMENTARY INFORMATION: The snapper-grouper fishery of the South Atlantic includes gag and is managed under the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (FMP). The FMP was prepared by the South Atlantic Fishery Management Council and NMFS, approved by the Secretary of Commerce, and is implemented by NMFS under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) by regulations at 50 CFR part 622. All weights in this temporary rule are in gutted weight.

The commercial ACL (commercial quota) for gag for the 2025 fishing year is 171,687 pounds (lb) or 77,876 kilograms (kg) [50 CFR 622.190(a)(7)(iii)]. Regulations at 50 CFR 622.193(c)(1)(i) specify the commercial in-season accountability measure for gag in the South Atlantic. NMFS is required to close the commercial sector for the harvest of gag for the rest of the fishing year when the commercial ACL has been reached or is projected to be reached. NMFS projects that commercial landings of gag will reach the commercial ACL for the 2025 fishing

year. Therefore, the commercial sector of gag is closed beginning on December 1, 2025, and will remain closed through December 31, 2025, the end of the current fishing year.

The recreational harvest of gag in the South Atlantic closed on June 26, 2025, and is closed through December 31, 2025 (90 FR 13425, March 24, 2025). Therefore, gag may not be harvested or possessed in or from South Atlantic Federal waters during this commercial closure, and the sale or purchase of gag from the South Atlantic is prohibited. In addition, these prohibitions apply to any person on a vessel issued a Federal commercial or charter vessel/headboat permit for South Atlantic snapper-grouper in South Atlantic Federal waters or state waters. The prohibition on sale or purchase does not apply to gag that were harvested, landed ashore, and sold before the effective period of this commercial closure, and were held in cold storage by a dealer or processor [50 CFR 622.190(c)(1)(i)]. The operator of a vessel with a valid Federal commercial vessel permit for South Atlantic snapper-grouper with gag on the vessel must have landed and bartered, traded, or sold such gag before December 1, 2025.

The 2026 fishing season for the commercial harvest of South Atlantic gag opens again on May 1, 2026 [50 CFR 622.183(b)(1)]. The commercial ACL (commercial quota) for gag for the 2026 fishing year is 215,051 lb (97,545 kg).

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR 622.193(c)(1)(i), which was issued pursuant to section 304(b) of the Magnuson-Stevens Act and is exempt from review under Executive Order 12866.

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment are unnecessary and contrary to the public interest. Such procedures are unnecessary because the regulations associated with the commercial closure of gag have already been subject to notice and public comment, and all that remains is to notify the public of the closure. Prior notice and opportunity for public comment on this action is contrary to the public interest because of the need to immediately implement the commercial closure to protect the gag resource in the South Atlantic. The capacity of the commercial fishing fleet allows for rapid harvest of the commercial quota, and any delay in the closure could result in the exceedance