

COPYRIGHT-RELATED ADMINISTRATIVE AND LEGISLATIVE DEVELOPMENTS IN 2025

I. PROPOSED LEGISLATION IN THE U.S. CONGRESS

1. H.R. 791 - Foreign Anti-Digital Piracy Act

“This bill establishes a process for copyright owners and exclusive licensees to petition U.S. district courts to block access to foreign websites or online services that engage in copyright infringement. Specifically, the bill allows a copyright owner or an exclusive licensee of a copyright owner to file a petition in a U.S. district court for the issuance of a preliminary order declaring that a foreign website or online service is engaging in copyright infringement. The petition must show that (1) the transmission through a foreign website or online service of a copyrighted work or live event likely infringes on the exclusive right of the owner or licensee to reproduce, distribute, publicly perform, or publicly display such work; and (2) the owner or licensee is likely to suffer irreparable harm as a result of the infringement. The bill outlines the process and the time frame for the court to issue a preliminary order. After obtaining a preliminary order, the copyright owner or licensee may request for the court to issue a blocking order that requires certain broadband service providers to take measures to prevent their users from accessing the foreign website or online service identified in the order. The bill outlines the terms and conditions of such an order. The court may require the copyright owner or licensee to pay the reasonable costs and expenses directly incurred by the service provider to comply with the order. The bill includes liability protections for service providers.” Summary by CRS, <https://www.congress.gov/bill/119th-congress/house-bill/791>. Introduced into the House January 28, 2025. Referred to the House Committee on the Judiciary, January 28, 2025, and Introduced into the House January 28, 2025. The Full Text can be found here: <https://www.congress.gov/bill/119th-congress/house-bill/791/text>.

2. S.326 — American Music Fairness Act

“This bill establishes that the copyright holder of a sound recording shall have the exclusive right to perform the sound recording through an audio transmission. (Currently, the public performance right only covers performances through a digital audio transmission in certain instances, which means that nonsubscription terrestrial radio stations generally do not have to get a license to publicly perform a copyright-protected sound recording.) Under the bill, a nonsubscription broadcast transmission must have a license to publicly perform such sound recordings. The Copyright Royalty Board must periodically determine the royalty rates for such a license. When determining the rates, the board must base its decision on certain information presented by the parties, including the radio stations' effect on other streams of revenue related to the sound recordings. Terrestrial broadcast stations (and the owners of such stations) that fall below certain revenue thresholds may pay certain flat fees, instead of the board-established rate, for a license to publicly perform copyright-protected sound recordings.” Summary by CRS, <https://www.congress.gov/bill/119th-congress/senate-bill/326>. Introduced in the Senate on January 30, 2025. Read twice and referred to the Committee on the Judiciary on

January 30, 2025. The Full Text can be found here:

<https://www.congress.gov/bill/119th-congress/senate-bill/326/text>.

3. *H.R. 861 -- American Music Fairness Act of 2025*

“This bill establishes that the copyright holder of a sound recording shall have the exclusive right to perform the sound recording through an audio transmission. (Currently, the public performance right only covers performances through a digital audio transmission in certain instances, which means that nonsubscription terrestrial radio stations generally do not have to get a license to publicly perform a copyright-protected sound recording.) Under the bill, a nonsubscription broadcast transmission must have a license to publicly perform such sound recordings. The Copyright Royalty Board must periodically determine the royalty rates for such a license. When determining the rates, the board must base its decision on certain information presented by the parties, including the radio stations' effect on other streams of revenue related to the sound recordings. Terrestrial broadcast stations (and the owners of such stations) that fall below certain revenue thresholds may pay certain flat fees, instead of the board-established rate, for a license to publicly perform copyright-protected sound recordings.” Summary by CRS, <https://www.congress.gov/bill/119th-congress/senate-bill/326?>. Introduced in the House on January 31, 2025. Referred to the House Committee on the Judiciary on January 31, 2025. The Full Text can be found here:

<https://www.congress.gov/bill/119th-congress/house-bill/861/text>.

4. *HR. 2794 -- No FAKES Act of 2025*

5. *S.1367 - NO FAKES Act of 2025*

This is a proposed bipartisan bill to create a federal right of publicity focused on “digital replicas” using generative AI. This is revision of the original version from 2024. This new version creates a notice-and-take down system to hold online platforms liable if they have knowledge of unauthorized replicas and fail to act. The act would also preempt state law related to “digital replicas”. The bill includes postmortem rights, including those that died before the law goes into effect. It has also stronger penalties than the 2024 version. (Summary by CRS not available.) Introduced in the House on April 9, 2025. Referred to the House Committee on the Judiciary on April 9, 2025. The Full Text can be found here: <https://www.congress.gov/bill/119th-congress/house-bill/2794/text>

6. *S. 1396 -- Content Origin Protection and Integrity from Edited and Deepfaked Media Act of 2025 (COPIED Act)*

This bill proposes a law to require AI developers to provide a digital record of AI-generated content, and would set new standards for marking, authenticating and detecting AI-generated content. For a news story about this, see “Cantwell, Blackburn, Heinrich Reintroduce Bipartisan Bill to Increase Transparency, Combat AI Deepfakes & Put Journalists, Artists & Songwriters Back in Control of Their Content, April 10, 2025. It was endorsed by SAG-AFTRA, Nashville Songwriters Association International, Recording Academy, the National Association of Broadcasters, National Music

Publishers' Association, Recording Industry Association of America, The Television Academy, NewsGuild-CWA, News/Media Alliance, National Newspaper Association, America's Newspapers, Rebuild Local News, Artist Rights Alliance, Human Artistry Campaign, Public Citizen, The Society of Composers & Lyricist, the Songwriters Guild of America, and Music Creators of North America. The bill was read twice and referred to the Committee on Commerce, Science, and Transportation in the Senate on April 9, 2025. The Full Text can be found here:

<https://www.congress.gov/bill/119th-congress/senate-bill/1396/text>.

7. *H.R. 3838 -- Streamlining Procurement for Effective Execution and Delivery and National Defense Authorization Act for Fiscal Year 2026 (Includes sec. 1701, Copyright to a literary work produced by a civilian faculty member of the Uniformed Services University of Health Sciences in the course of such employment)*

“This bill sets forth policies and authorities for FY2026 for Department of Defense (DOD) programs and activities, military construction, and the national security programs of the Department of Energy and the Maritime Administration. It also authorizes appropriations for the Defense Nuclear Facilities Safety Board and the Naval Petroleum Reserves, and modifies the defense acquisition system to expedite delivery of capabilities to the Armed Forces. Among other elements, the bill

- authorizes the acquisition or modification of various military items (e.g., aircraft) and sets policy for certain procurement programs;
- authorizes research, development, test, and evaluation and sets policy for such activities;
- sets active component and reserve component end-strength levels;
- sets policy regarding various aspects of military health care and military compensation;
- sets policy regarding acquisitions and acquisition management, including contracting authorities and small businesses;
- sets policy for various matters related to DOD interactions with foreign nations, including matters concerning Israel;
- sets policy for various matters related to DOD cyber activities, cyber workforce and training, cybersecurity, and artificial intelligence matters; and
- authorizes the activities of the National Nuclear Security Administration, defense environmental cleanup, nuclear energy, and other defense activities.

For additional information on the National Defense Authorization Act (NDAA).” Summary by CRS, <https://www.congress.gov/bill/119th-congress/house-bill/3838>. There were 129 actions related to this bill, and it passed the house. For more information, please see Actions, <https://www.congress.gov/bill/119th-congress/house-bill/3838/all-actions>.

The Full Text can be found at

<https://www.congress.gov/bill/119th-congress/house-bill/3838/text>.

Note: Section 1701 of H.R. 3838 relates to copyright by addressing copyright of literary works created by a civilian faculty member of the Uniformed Service University of Health Sciences as part of their employment. It would amend 17 U.S.C. Section 105.

These works would be added to institutions with exceptions to Section 105(a), and be listed as eligible as a “covered author of a covered work.”

8. *H.R. 4009 -- Pro Codes Act*
9. *HR. 4072 -- Pro Codes Act*

This bill aims to clarify copyright protection for privately-developed technical standards when they are incorporated into laws or regulations. In this bill, they would not lose copyright simply because they were incorporated, but they would have to be made available for free to the public on an accessible website. The standards would also have to be developed through a transparent process. Electronic Frontier Foundation and the Association of REsearch Libraries raised some concerns. For more see, Press Release, “Issa, Ross introduce Legislation to Protect Public Access to Federal Rules, Regulations.” <https://issa.house.gov/media/press-releases/issa-ross-introduce-legislation-protect-public-access-federal-rules#:~:text=%E2%80%9CThe%20Pro%20Codes%20Act%20strikes%20a%20critical,Issa%20for%20his%20partnership%20on%20this%20issue.%E2%80%9D>. (No summary available from CRS). The bill was introduced in the House on June 13, 2025, and the bill was referred to the House Committee on the Judiciary on June 13, 2025. The Full Text is available here:

<https://www.congress.gov/bill/119th-congress/house-bill/4072/text>.

A second bill was introduced, also titled the Pro Codes Act, HR 4072, on June 23, 2025. The early bill requires a study to be done, which is not included in HR 4072. The bill was introduced in the House on June 23, 2025, and the bill was referred to the House Committee on the Judiciary on June 23, 2025. The Full Text is available here: <https://www.congress.gov/bill/119th-congress/house-bill/4072/text>

10. *HR 4017 -- American Royalties Too Act of 2025*

This is a bill introduced to provide visual artists with a right of resale royalties of 5% of the resale price, or up to \$50,000 whenever their work is resold in a commercial market for works over \$5000. The right would last the duration of the copyright term, and the cap would be adjusted annually for inflation. (No CRS summary available). The bill was introduced in the House on June 17, 2025, and the bill was referred to the House Committee on the Judiciary on June 17, 2025. The Full Text is available here: <https://www.congress.gov/bill/119th-congress/house-bill/4017/text>

11. *S. 2342 -- Intelligence Authorization Act for Fiscal Year 2026 (Includes section 297, Independent security testing and coordinated cybersecurity vulnerability disclosure pilot program for election systems and section 412, Transfer of National Intelligence University)*

This bill authorizes appropriations for the US intelligence community. NO CRS summary available. The bill was introduced on July 17, 2025, as well as being placed on the Senate Legislative Calendar under General Orders, Calendar No. 120. Senator Cotton from select Committee on Intelligence filed a write report, Report No. 119-51, with minority

views also filed on July 29, 2025. The Full Text is available here:
<https://www.congress.gov/bill/119th-congress/senate-bill/2342/text>.

12. *S. 2455 -- Transparency and Responsibility for Artificial Intelligence Networks Act*

This bill would create a legal process for copyright holders to request information from developers about copyrighted works used to train generative AI models, including issuing subpoenas to AI developers to get records that could identify the use of their work in AI training data. (No CRS summary available). See more on the TRAIN Act, here: <https://www.transparencycoalition.ai/news/in-congress-sen-blackburn-and-sen-welch-introduce-bill-to-protect-creators-from-unauthorized-ai-training>. The bill was read twice and referred to the Committee on the Judiciary on July 24, 2025. The full text is available here: <https://www.congress.gov/bill/119th-congress/senate-bill/2455/text>.

13. *HR 5039 - Wheelchair Right to Repair Act*

This bill would allow owners of mobility assistance devices to legally access parts, tools, software and information needed for repairs and remove legal barriers created by copyright law. It would provide an exception to Section 1201. (No CRS summary available). The bill was introduced in the House on August 26, 2025, as well as being referred to the Committee on Energy and Commerce the same day. The Full Text is available here: <https://www.congress.gov/bill/119th-congress/house-bill/5039/text>.

14. *S.2711 -- Go Pack Go Act of 2025*

This bill aims to ensure that cable and satellite subscribers in Wisconsin can access in-state television programming, particularly Green Bay Packer games, so that fans could see the game outside of the local broadcasting market. (No CRS summary is available). The bill was read twice and referred to the Committee on Commerce, Science, and Transportation on September 4, 2025. The Full Text is available here: <https://www.congress.gov/bill/119th-congress/senate-bill/2711/text>.

15. *HR-5664 -- Living Wage for Musicians Act of 2025*

The bill proposes to establish an Artist Compensation Royalty Fund to pay musicians a minimum of 1 cent per stream. The bill was introduced in the House on September 30, 2025, and referred to the House Committee on the Judiciary the same day. The Full Text is available here: <https://www.congress.gov/bill/119th-congress/house-bill/5664/text>.

16. *S. 3068 -- Freedom for Agricultural Repair and Maintenance Act (FARM Act)*

This would allow original equipment manufacturers to provide access to materials needed for diagnosing, maintaining, repairing and upgrading farm equipment, which would modify Section 1201. The bill was read twice and referred to the Committee on Commerce, Science, and Transportation on October 28, 2025. The Full Text is available here: <https://www.congress.gov/bill/119th-congress/senate-bill/3068/text>

17. HR 6028 -- Legislative Branch Agencies Clarification Act

“This bill revises the procedures for appointing and removing the Librarian of Congress, the Director of the Government Publishing Office (GPO), and the Register of Copyrights. Specifically, the bill requires the Librarian and the Director of GPO to be appointed by a bipartisan congressional commission, based on procedures outlined by the bill and without regard to political affiliation. (Currently, these positions are appointed by the President with the advice and consent of the Senate.) The Librarian and the Director of GPO may only be removed from office by a majority vote of the majority and minority leaders of the House of Representatives and the Senate. Additionally, the bill requires the Librarian and the Director of GPO to each appoint a deputy within a set time frame and outlines related procedures. The bill removes the Library of Congress's (LOC's) supervisory authority over the Copyright Office. LOC and other legislative agencies may provide support services to the Copyright Office. The bill requires the Register of Copyrights to be (1) a U.S. citizen with a background and experience in copyright law, and (2) appointed by the President with the advice and consent of the Senate. (Currently, the Register is appointed by the Librarian.) The bill limits the term of office for the Register to 10 years, but the individual may be reappointed. The bill also requires GPO to establish and maintain a human capital management system and outlines the requirements for the system.” CRS Summary,

<https://www.congress.gov/bill/119th-congress/house-bill/6028>. The bill was introduced in the House on November 12, 2025, and was referred to the Committee on House Administration on the same day. The Full Text is available here: <https://www.congress.gov/bill/119th-congress/house-bill/6028/text>.

II. COPYRIGHT OFFICE NEWS (FROM NETNEWS)

1. [U.S. Copyright Office Announces Webinar on Copyright Essentials for Visual Artists and Photographers](#), No. 1059, January 27, 2025
2. [Copyright Office Releases Part 2 of Artificial Intelligence Report](#), No. 1060, January 29, 2025
3. [Copyright Office Issues Notice of Inquiry on Issues Related to Performing Rights Organizations](#), No. 1061, February 10, 2025.
4. [U.S. Copyright Office Releases Publication Produced by Group of Economic Scholars Identifying the Economic Implications of Artificial Intelligence for Copyright Policy](#), No. 1062, February 12, 2025
5. [Copyright Office Adjusts Compliance Dates in its Earlier Final Rule Relating to Cable, Satellite, and DART License Reporting Practices](#), No. 1063, February 28, 2025
6. [U.S. Copyright Office Issues a Notice of Inquiry Initiating a Study of the Copyright Claims Board](#), No. 1064, March 10, 2025.
7. [Library to Host Copyright Public Modernization Committee Meeting April 3](#), No. 1065, March 10, 2025.
8. [Emily Chapuis Appointed Acting General Counsel and Associate Register of Copyrights](#), No. 1066, March 13, 2025.

9. [U.S. Copyright Office Announces Webinar on Copyright Essentials for Musicians](#), No. 1067, March 20, 2025.
10. [U.S. Copyright Office Publishes Final Rule to Require Pay.gov Use for Statutory Royalty Payments](#), NO. 1068, March 31, 2025.
11. [U.S. Copyright Office Invites Public to Webinar on Effectively Using the Copyright Public Records System](#), No. 1069, April 9, 2025.
12. [U.S. Copyright Office Releases New Copyright Registration Toolkit](#), NO. 1070, April 22, 2025.
13. [U.S. Copyright Office Replaces Online Public Catalog with Copyright Public Records System](#), No. 1071, June 24, 2025.
14. [U.S. Copyright Office Announces Webinar on Copyright Essentials for Writers](#), No. 1072, July 7, 2025.
15. [Copyright Office Adjusts Compliance Date in Its Earlier Final Rule Relating to Cable, Satellite, and DART License Reporting Practices](#), No. 1073, August 6, 2025.
16. [U.S. Copyright Office Invites Public to Webinar on Conducting Public Records Searches Using the Copyright Public Records System](#), No. 1074, August 26, 2025.
17. [Erik Bertin Appointed Acting Associate Register of Copyrights and Director of Registration Policy and Practice](#), No. 1075, September 2, 2025.
18. [Copyright Office Announces Open Application Period for Ringer Fellowships](#), No. 1076, September 2, 2025.
19. [U.S. Copyright Office Fully Operational Following Government Reopening](#), No. 1977, November 14, 2025.
20. [U.S. Copyright Office Issues Final Rule to Create New Group Registration Option for Two-Dimensional Artwork](#), December 19, 2025

III. FEDERAL REGISTER NOTICES FOR 2025

1. Notice of Inquiry, Issues Related to Performing Rights Organizations, [90 FR 9253](#), February 10, 2025.

The U.S. Copyright Office is collecting information regarding issues related to performance rights organizations (“PROs”) and the Copyright Act’s public performance right for musical works. It is initiating this inquiry at Congress’s request to gather information on questions related to the increase in the number of PROs and the licensing revenue distribution practices of PROs.

2. Clarification to final rule, Statutory Cable, Satellite, and DART License Reporting Practices, [90 FR 10856](#), February 28, 2025.

This document clarifies the compliance date for certain reporting obligations issued in the U.S. Copyright Office’s final rule governing the royalty reporting practices of cable operators, and the Statement of Account form and filing requirements.

3. Notice of Inquiry and Request for Comments, CASE Act Study, [90 FR 11625](#), March 10, 2025.

As required by the Copyright Alternative in Small-Claims Enforcement Act of 2020, the U.S. Copyright Office is initiating a study of the Copyright Claims Board. To inform the Office's study, the Office seeks comments on issues pertaining to the Copyright Claims Board, including its use and efficacy. The Copyright office received 23 comments.

<https://www.regulations.gov/docket/COLC-2025-0002/comments>

4. Final Rule on Electronic Payment of Royalties Using [Pay.gov](#), [90 FR 14206](#), March 31, 2025

The Copyright Office is issuing a final rule to amend its regulations regarding the submission of royalty fees to the Copyright Office to require that all such fees be paid using [Pay.gov](#).

IV. Deep Dive: New Registration Group Option for Two-Dimensional Artwork

On December 19, 2025, the U.S. Copyright Office added an option for group registration for two-dimensional artwork. As of February 17, 2026, artists can register digital copies of their works as group works. The proposed work had suggested that ten works would be the maximum within a thirty-day period. After comments, that was extended to twenty works first published over the calendar year. For more on the process, including the comments, see <https://www.copyright.gov/rulemaking/gr2d/>. As a note, Elizabeth Townsend Gard, along with Blaze D'Amico and Dr. Townsend Gard's art law course submitted a comment as part of the process, which was cited in the final ruling. The Office received 14 comments in response to the call for comments.