

**Testimony of
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**Before the
Subcommittee on Intellectual Property
U.S. Senate Committee on the Judiciary
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Chairman Tillis, Ranking Member Schiff, and Members of the Subcommittee:

Thank you for the opportunity to testify today on behalf of the United States Copyright Office (Office).¹ This is a banner year, marking the fiftieth anniversary of the Copyright Act of 1976. As we reflect on that milestone, now is an auspicious moment to take stock of how the copyright system, and the Copyright Office, continue to evolve in response to changing circumstances.

When Congress enacted the 1976 Act, it sought to modernize copyright law and make it fit for the late 20th century—but also to “future-proof” its provisions so that they could adapt to future technological change. The statute established a flexible and durable framework, grounded in core principles that remain central today. The Copyright Office was instrumental in drafting the Act and was given an important role in implementing Congress’s vision. Over the past fifty years, we have continued to serve as a key advisor and resource to Congress, which has assigned us more responsibilities as both the copyright ecosystem and the statute have grown in complexity.

The Office’s core responsibilities have remained constant, but their scope has expanded significantly. The administration of the Act now involves a broader set of stakeholders, due to the protection of works from the point of creation and the advent of digital technologies lowering the bar to entry for their production and distribution. As to the Office’s advisory function, we regularly produce comprehensive and deeply researched analytical reports for Congress and the public on a wide range of topics. Through amendments to the Act over the years, Congress has added several major ongoing tasks to the Office’s portfolio, such as conducting the section 1201 triennial rulemaking, operating the new small claims tribunal, maintaining the designated agent directory for internet service providers, and providing oversight of the entities administering the new blanket compulsory license for musical works. In response to demand from the copyright community, we have also substantially increased our focus on outreach and education, and have added an in-house economic research capability.

I am pleased to describe below the recent accomplishments of our talented and dedicated staff in taking forward all of these responsibilities.

¹ The Copyright Act is administered by the United States Copyright Office. 17 U.S.C. § 701(a). The Register of Copyrights has a duty to “[a]dvise Congress” on issues “relating to copyright,” to “[p]rovide information and assistance” to “Federal departments and agencies and the Judiciary,” and to “[c]onduct studies and programs regarding copyright[.]” *Id.* § 701(b)(1), (2), (4). In addition, she has authority to establish regulations to implement the Copyright Act. *Id.* § 702.

I. RECENT ACCOMPLISHMENTS

The Register of Copyrights is charged by statute with overseeing the national copyright registration and recordation systems, advising Congress on copyright policy and legislation, providing information and assistance to the courts and federal agencies on copyright matters, administering certain statutory licenses, and educating the public about copyright.² The Office has provided these services for over 150 years in the Library of Congress (Library), more than 125 of them as a separate department. We do so with a very modest budget and approximately 450 full-time employees (significantly fewer than in 1976).³

A. PROVIDING EXPERTISE ON LAW AND POLICY

Copyright Claims Board (CCB): One of the most important achievements in recent years has been the creation of the Copyright Claims Board (CCB), providing access to efficient and cost-effective justice on copyright small claims. The Office first considered the possibility of such a tribunal about 20 years ago, and in 2013 issued a report recommending its establishment.⁴ The ensuing discussions led to enactment of the Copyright Alternative in Small-Claims Enforcement (CASE) Act of 2020.⁵ When I joined the Office in late 2020, we engaged in the intensive process of hiring staff, building a docketing system and website, and issuing more than a dozen regulations to stand up the CCB's operations within the statutorily mandated timeframe.⁶

As required by the CASE Act, the Office launched a study on the CCB's operations three years after its first determination and submitted the resulting report to Congress in February 2026.⁷ We found that the CCB has been working well, with steady and growing demand for its services by a variety of both claimants and respondents,⁸ the majority of them self-represented.⁹

To date, the CCB has received over 2,000 claims from every state, Washington D.C., Puerto Rico, and several foreign countries and has been effective in resolving copyright claims in a fair and careful manner.¹⁰ Its determinations have been praised as thoughtful and thorough. The CCB has also facilitated numerous settlement agreements and served as an impetus for private negotiations and licensing. Perhaps most important, the availability of a practical mechanism to enforce claims enhances respect for the value of copyright.

The Report nevertheless noted concerns about the length and complexity of proceedings. We recommended some targeted amendments to the CASE Act, mostly to address such concerns, including by

² See, e.g., 17 U.S.C. §§ 408, 701.

³ After the Copyright Act of 1976 was adopted, the Office's staff level approached 600. REPORT OF THE REGISTER OF COPYRIGHTS, FISCAL 1977 ANNUAL REPORT 10, <https://copyright.gov/reports/annual/archive/ar-1977.pdf>.

⁴ U.S. COPYRIGHT OFFICE, COPYRIGHT SMALL CLAIMS (2013), <https://www.copyright.gov/docs/smallclaims/usco-smallcopyrightclaims.pdf>.

⁵ Pub. L. No. 116-260, 134 Stat. 2176 (2020) (codified at 17 U.S.C. §§ 1501–1511).

⁶ For a summary of the Office's CASE Act regulations, see Copyright Alternative in Small-Claims Enforcement (CASE) Act of 2020 Rulemakings, U.S. Copyright Office, <https://www.copyright.gov/about/small-claims/related-rulemakings.html>.

⁷ U.S. COPYRIGHT OFFICE, CASE ACT REPORT (2026), <https://www.copyright.gov/policy/CASE-study/CASE-Act-Report.pdf>.

⁸ The opt-out rate for respondents is around 30%. Copyright Claims Board, Key Statistics 2 (2026), <https://ccb.gov/CCB-Statistics-and-FAQs-April-2026.pdf>.

⁹ *Id.* at 1.

¹⁰ *Id.*

streamlining compliance review and service of process.¹¹ We also suggested enhancing the use of CCB resources, such as by offering mediation outside of active proceedings.¹² Together with the CCB, we continue to explore improvements through changes to its regulations, internal procedures, and resources offered to the public.

The Music Modernization Act (MMA): The 2018 Music Modernization Act (MMA) also arose from a Copyright Office study. In 2015, we issued a comprehensive report, *Copyright and the Music Marketplace*, which described the shortcomings of the aging music licensing framework given the evolving needs of those who create and invest in music.¹³ Congress and the Office engaged with interested parties on these issues over three years, and in 2018 the MMA was enacted.¹⁴ Congress tasked the Copyright Office with issuing regulations to implement its provisions, including the designation of the two entities that administer the blanket mechanical license it created: the Mechanical Licensing Collective (MLC) and the Digital Licensee Coordinator (DLC).¹⁵

Under the MMA, the Office maintains an oversight role with respect to the MLC and DLC and holds periodic meetings separately with each organization. We also meet with songwriter groups to gather feedback on the MLC's operations and how the MMA is working and engage in targeted education and outreach activities. As mandated by the law, in January 2024 we issued a notice of inquiry seeking public comments regarding the periodic review of our designations of the MLC and DLC, and will issue our recommendation later this quarter.

Copyright and Artificial Intelligence (AI): The Office has been a leader in examining the issues raised for copyright by generative AI. We launched a comprehensive AI initiative in early 2023,¹⁶

¹¹ U.S. COPYRIGHT OFFICE, CASE ACT REPORT 34–43 (2026), <https://www.copyright.gov/policy/CASE-study/CASE-Act-Report.pdf>. The Office recommended: (1) giving the CCB discretion to allow a claimant only one, rather than two, opportunities to amend a claim during compliance review where it is clear from the allegations that no cognizable claim can be stated; (2) permitting additional service methods or streamlining the current ones; (3) allowing a single CCO to preside over and render determinations in standard proceedings, with a panel of three CCOs continuing to evaluate reconsideration requests; and (4) permitting respondents who choose to participate in a CCB proceeding to affirmatively waive the remainder of the opt-out period.

¹² *Id.* at 65–68. To further enhance use of the CCB's resources, the Office recommended amending the statute to permit district courts to refer cases to the CCB for limited purposes, such as settlement discussions, mediation, or preparation of a report and recommendation (rather than requiring referral of the entire case); and giving the CCOs discretion to institute mandatory settlement conferences. We also identified technical fixes that would make it easier to enforce CCB determinations in federal court, and allow the CCOs to determine whether actual or statutory damages should be awarded in each case.

¹³ U.S. COPYRIGHT OFFICE, COPYRIGHT AND THE MUSIC MARKETPLACE (2015), <https://www.copyright.gov/policy/musiclicensingstudy/copyright-and-the-music-marketplace.pdf>.

¹⁴ Orrin G. Hatch-Bob Goodlatte Music Modernization Act, Pub. L. No. 115-264, 132 Stat. 3676 (2018).

¹⁵ See Music Modernization Act (MMA) Rulemakings and Ex Parte Communications, U.S. Copyright Office, <https://www.copyright.gov/music-modernization/related-rulemakings.html>.

¹⁶ We responded to an October 2022 inquiry from Senators Tillis and Coons regarding our plans for work on artificial intelligence, stating that we would engage in outreach and issue a public notice of inquiry in 2023. See Letter from Shira Perlmutter, Reg. of Copyrights and Dir., U.S. Copyright Off., and Kathi Vidal, Under Sec'y of Com. for Intell. Prop. and Dir., U.S. Pat. and Trademark Off., to Sen. Chris Coons, Chair, and Sen. Thom Tillis, Ranking Member, Subcomm. on Intell. Prop. of the S. Comm. on the Judiciary (Dec. 12, 2022), <https://www.copyright.gov/laws/hearings/Letter-to-USPTO-USCO-on-National-Commission-on-AI-1.pdf>.

beginning with the issuance of guidance on the registration of works incorporating AI-generated material.¹⁷ There we reiterated the Office’s longstanding position that human authorship is an essential requirement for copyright protection in the United States. Our view was later confirmed by the D.C. Circuit Court of Appeals in *Thaler v. Perlmutter*, which the Supreme Court declined to review.¹⁸ In 2023 and 2024, we held public webinars, issued a notice of inquiry on copyright and artificial intelligence,¹⁹ and reviewed the more than 10,000 comments we received. The Office has since issued a Report on Copyright and Artificial Intelligence in several parts.

Part 1, released in July 2024, focused on digital replicas, or AI-generated videos, images, or audio recordings that realistically, but falsely, depict an individual.²⁰ We concluded that there was an urgent need for protection at the federal level and recommended that Congress establish a right that protects all individuals from the knowing distribution of their unauthorized digital replicas.²¹ We also outlined the potential contours of such a right, including that it should cover all individuals, incorporate First Amendment accommodations, provide a safe harbor for online service providers, and establish limits on transferability.²²

Part 2, released in January 2025, addressed the copyrightability of outputs generated by AI systems.²³ Applying existing law, we affirmed that copyright does not extend to purely AI-generated material, or material where there is insufficient human control over the expressive elements to constitute authorship. Given the state of generative AI technology at the time, we concluded that prompts alone are unlikely to satisfy the requirements of sufficient human contribution. However, using AI as a tool to assist in the creation process, or including AI-generated material within a broader human-generated work, does not preclude protection.²⁴ Based on these principles, the Office has to date registered more than 7,000 claims that include AI-generated materials where those materials have been disclaimed in accordance with our registration guidance.²⁵

Part 3, released in May 2025, addressed the use of copyrighted works in training generative AI systems.²⁶ We found that several stages of training involve acts that implicate copyright owners’ rights, but the key question is whether those acts will qualify as fair use.²⁷ We concluded that they likely qualify as

¹⁷ Copyright Registration Guidance: Works Containing Material Generated by Artificial Intelligence, 88 Fed. Reg. 16190 (Mar. 16, 2023).

¹⁸ The D.C. Circuit noted: “The Copyright Office’s longstanding rule requiring a human author reinforces the natural meaning of those statutory terms.” *Thaler v. Perlmutter*, 130 F.4th 1039, 1047 (D.C. Cir. 2025), *cert denied*, 224 L. Ed 2d 161 (2026).

¹⁹ Artificial Intelligence Study, 88 Fed. Reg. 59942, 59948–49 (Aug. 30, 2023).

²⁰ U.S. COPYRIGHT OFFICE, COPYRIGHT AND ARTIFICIAL INTELLIGENCE, PART 1: DIGITAL REPLICAS (2024), <https://www.copyright.gov/ai/Copyright-and-Artificial-Intelligence-Part-1-Digital-Replicas-Report.pdf>.

²¹ *Id.* at 28–50.

²² *Id.*

²³ U.S. COPYRIGHT OFFICE, COPYRIGHT AND ARTIFICIAL INTELLIGENCE, PART 2: COPYRIGHTABILITY (2025), <https://www.copyright.gov/ai/Copyright-and-Artificial-Intelligence-Part-2-Copyrightability-Report.pdf>.

²⁴ *Id.* at 12.

²⁵ Later this year, we plan to provide additional guidance on the Office’s longstanding disclaimer practices, including supplemental information related to our March 2023 registration guidance.

²⁶ U.S. COPYRIGHT OFFICE, COPYRIGHT AND ARTIFICIAL INTELLIGENCE, PART 3: GENERATIVE AI TRAINING (pre-publication) (2025), <https://www.copyright.gov/ai/Copyright-and-Artificial-Intelligence-Part-3-Generative-AI-Training-Report-Pre-Publication-Version.pdf>.

²⁷ *Id.* at 32.

fair use in some circumstances but not in others, and it will be for the courts to decide based on the facts of each specific case.²⁸ Relevant facts would include what works were used in training, from what source, for what purpose, and with what guardrails.²⁹ We stressed that licensing markets were emerging in a number of sectors and recommended that marketplace solutions be given time to develop before any government intervention.³⁰

Supporting Congress on Legislation and Policy: Since the creation of the Copyright Office, one of our major responsibilities has been to provide Congress with technical assistance and legal advice. The Office has played a major role in every comprehensive copyright reform, from the 1897 Act to the 1909 Act to the 1976 Act, and the many other legislative initiatives along the way.

One way the Office provides support to Congress is by preparing policy studies and reports. Notably, the Office initiated and contributed to the dozens of revision studies during the two decades of work that led to the 1976 Act.³¹ Since then, we have produced numerous studies on issues relating to pre-1972 sound recordings, cable and satellite licensing, database protection, digital distance education, libraries and archives, moral rights, orphan works, mass digitization, Section 512, Section 1201, small claims, music licensing, state sovereign immunity, standard technical measures, nonfungible tokens (NFTs), and artificial intelligence.³² Several have directly informed or led to legislation, such as the MMA or CASE Act, while others have helped shape the policy landscape even without statutory change.

We also provide advice in response to specific requests from Congress. For example, we recently responded to a request from members of Congress for information on the increased number of music performing rights organizations (PROs) and their licensing revenue distribution practices. We published a notice of inquiry, received and reviewed public comments, and on November 20, 2025, sent a letter to Congress summarizing the comments and identifying major themes.³³

Another type of support involves technical assistance on legislative proposals. In this 119th session of Congress, about two dozen bills impacting Title 17 have been introduced (some in both the Senate and the House).³⁴ Current copyright-related bills in the Senate are largely focused on AI, digital content, and access issues, including AI transparency and training, reforms affecting artists, the availability of no-fault injunctions, and the copyright status of private codes incorporated by reference in state law. The Copyright Office has been and remains available to congressional staff to provide technical assistance at any point, including as legislative proposals are being developed and evaluated.

As to particular topics, I would identify several as priorities that are ripe for legislative action:

²⁸ *Id.* at 74.

²⁹ *Id.*

³⁰ *Id.* at 103–106. We also suggested consideration of alternative approaches such as extended collective licensing to address any market failure shown to arise in particular areas. *Id.* at 106.

³¹ The revision studies are available at <https://www.copyright.gov/history/studies/>.

³² Policy studies conducted by the Office since 1961 can be accessed at <https://www.copyright.gov/policy/>.

³³ Letter from Emily Chapuis, Acting Gen. Counsel and Associate Reg. of Copyrights, U.S. Copyright Off., to Rep. Jim Jordan, Chair, Comm. on the Judiciary, Rep. Darrell Issa, Chair, Subcomm. on Courts, Intell. Prop., Artificial Intell., and the Internet, and Rep. Scott Fitzgerald (Nov. 20, 2025), <https://www.copyright.gov/policy/pro-issues/usco-letter-on-issues-related-to-performing-rights-organizations.pdf>.

³⁴ The Copyright Office posts links to legislation involving Title 17 at <https://copyright.gov/legislation/>.

- Establishing a federal digital replica right. The speed and scale at which generative AI can produce digital replicas continues to increase. As we stated in our 2024 *Part 1: Digital Replicas* report, it is critical to provide a federal right that protects all individuals, regardless of fame, from the knowing distribution of unauthorized digital replicas.³⁵ This Congress, both chambers have continued to advance this issue with the introduction of the NO FAKES Act (S. 1367, H.R. 2794).
- Requiring radio stations to provide compensation to copyright owners and performers when their sound recordings are broadcast terrestrially (“over the air”). For decades, the Copyright Office has supported the need to correct this gap in our legislation.³⁶ Congress has introduced various bills over the years, with the American Music Fairness Act (S. 326, H.R. 861) currently pending before this Congress.
- Providing the remedy of no-fault injunctive relief for curbing copyright infringement emanating from foreign websites primarily dedicated to infringement. This would empower courts to order internet service providers (ISPs) to block access to such websites, without the need to address the providers’ possible liability or expose them to monetary damages.³⁷ Such a remedy should be narrowly tailored, with due process safeguards including judicial balancing and clear statutory thresholds.
- Streamlining Copyright Claims Board procedures. As described above, the Office’s *CASE Act Report* recommended several statutory amendments, primarily to further streamline the small claims process, eliminate barriers to speedy resolution of claims, enhance use of CCB resources, and improve remedies and enforcement.³⁸ We would be pleased to work with the Subcommittee to craft a bill.

³⁵ U.S. COPYRIGHT OFFICE, COPYRIGHT AND ARTIFICIAL INTELLIGENCE, PART 1: DIGITAL REPLICAS (2024), <https://www.copyright.gov/ai/Copyright-and-Artificial-Intelligence-Part-1-Digital-Replicas-Report.pdf>; see also U.S. COPYRIGHT OFFICE, AUTHORS, ATTRIBUTION, AND INTEGRITY: EXAMINING MORAL RIGHTS IN THE UNITED STATES 117 (2019), <https://www.copyright.gov/policy/moralrights/full-report.pdf> (suggesting that Congress could consider adopting a federal right of publicity law).

³⁶ See, e.g., Letter from Shira Perlmutter, Reg. of Copyrights and Dir., U.S. Copyright Off., and Kathi Vidal, Under Sec’y of Com. for Intell. Prop. and Dir., U.S. Pat. and Trademark Off., to Sen. Dick Durbin, Chairman, and Sen. Chuck Grassley, Ranking Member, Comm. on the Judiciary, U.S. Senate; and Rep. Jerrold Nadler, Chairman, and Rep. Jim Jordan, Ranking Member, Comm. on the Judiciary, U.S. House of Representatives (Sep. 28, 2022), <https://www.copyright.gov/laws/hearings/joint-performance-right-letter-signed.pdf>; Letter from Shira Perlmutter, Reg. of Copyrights and Dir., U.S. Copyright Off., and Andrei Iancu, Under Sec’y of Com. for Intell. Prop. and Dir., U.S. Pat. and Trademark Off., to Sen. Lindsey Graham, Chairman, and Sen. Dianne Feinstein, Ranking Member, Comm. on the Judiciary, U.S. Senate; and Rep. Jerrold Nadler, Chairman, and Rep. Jim Jordan, Ranking Member, Comm. on the Judiciary, U.S. House of Representatives (Jan. 19, 2021), <https://www.copyright.gov/laws/hearings/performance-rights-letter.pdf>.

³⁷ Almost three years ago, the Office responded to a Congressional request to provide an update on any research or reports regarding the use and effectiveness of no-fault injunctive remedies in other countries (following up on our 2020 Report, Section 512 of Title 12). Letter from Shira Perlmutter, Reg. of Copyrights and Dir., U.S. Copyright Off., to Senators Tillis, Coons, Durbin, Hirono, Graham, and Blackburn, S. Comm. on the Judiciary 2, 8 (Oct. 28, 2023), <https://www.copyright.gov/laws/hearings/Letter-US-Copyright-Office-to-Six-Senators-on-No-Fault-Injunctive-Relief-Oct-28-2023.pdf> (“In sum, over the past three years there has been increased international adoption of the remedy of no-fault injunctions. Safeguards such as judicial oversight and clear statutory thresholds have been incorporated in those laws to protect due process. The publicly available information indicates that this remedy helps reduce online infringement when applied appropriately.”).

³⁸ See U.S. COPYRIGHT OFFICE, CASE ACT REPORT 53–68 (2026), <https://www.copyright.gov/policy/CASE-study/CASE-Act-Report.pdf>.

- Amending section 1201 to add several permanent exemptions. In the Office's 2017 *Section 1201 Report*, we recommended making some temporary exemptions permanent where the Librarian has repeatedly granted them in consecutive cycles of the triennial rulemaking process. These relate to expanding existing exemptions for security and encryption research, and adding ones for the use of assistive reading technologies and the diagnosis, maintenance and repair of certain devices.³⁹ Again, we would be pleased to provide draft language.

Litigation: The Office collaborates with the Department of Justice (DOJ) and the Office of the Solicitor General to develop amicus briefs and other submissions in cases that raise important issues of copyright law in the U.S. Supreme Court and federal courts of appeal, as well as in cases in which the Office is a party. With DOJ, the Office has contributed to dozens of briefs in the past two years, and provided expert advice on more. Most prominent has been a landmark victory in the *Thaler v. Perlmutter* litigation, in which the Supreme Court denied certiorari, leaving in place the appellate decision affirming that human authorship is required for copyrightability.

The Office also responds to section 411 requests from federal district courts across the country, seeking the Register's advice about the impact on registration decisions of alleged misstatements in a party's application. We have provided seven responses to such requests in the past two years.

Fee Study: On March 20, 2026, the Office published a notice of proposed rulemaking requesting public comment on proposed changes to our fee schedule.⁴⁰ Congress authorized the Register of Copyrights to set and adjust fees to cover the reasonable costs of the Office's services, along with an inflation adjustment to reflect expected cost increases.⁴¹ Section 708 of Title 17 requires that fees listed in section 708(a)(1)–(9) “be fair and equitable and give due consideration to the objectives of the copyright system.” Accordingly, the Office must consider not only the reasonable costs of services provided, but also the public interest.

The Office reviews and adjusts its fees every several years. Since our last fee adjustment, the cost of providing services has increased significantly because of inflation and other factors. We initiated an independent study of our costs from the Federal Research Division at the Library of Congress, which is part of the record for this rulemaking. The proposed fees would allow the Office to recover a portion of its costs closer to the historical level of about 60 percent, while still keeping services accessible.⁴² The deadline for comments was May 4; we received 80 comments and are reviewing them. We will then prepare a proposed fee schedule and submit it, along with the accompanying cost analysis, to Congress. The proposed schedule may be instituted after the end of 120 days after submission unless, within that period, Congress enacts a law stating in substance that it does not approve it.⁴³

Central to the Office's mission is ensuring that our fees do not impose undue barriers to accessing copyright services. While the fees currently proposed fall far short of covering actual costs, we recognize

³⁹ U.S. COPYRIGHT OFFICE, SECTION 1201 OF TITLE 17 (2017), <https://www.copyright.gov/policy/1201/section-1201-full-report.pdf>.

⁴⁰ Copyright Office Fees, 91 Fed. Reg. 13529 (proposed Mar. 20, 2026), at <https://copyright.gov/rulemaking/feestudy2026/>.

⁴¹ 17 U.S.C. § 708(b)(2).

⁴² Copyright Office Fees, 91 Fed. Reg. 13529 (proposed Mar. 20, 2026), at <https://copyright.gov/rulemaking/feestudy2026/>.

⁴³ 17 U.S.C. § 708(b)(5).

that some of the increases are substantial and may impact some copyright stakeholders more than others. The Office is exploring ways to minimize this impact. To that end, in March we also issued a Notice of Inquiry on possible future alternative fee structures for registration.⁴⁴ Information gathered here will assist in determining which alternatives may be feasible and appropriate once our new Enterprise Copyright System (ECS) is fully operational.

Launching New Group Registration Options: Over the past two years, the Office has finalized regulations for two new types of group registration. In July 2024, we established a group registration option for frequently updated news websites. News publishers had expressed concern that the registration options previously available to them were expensive and burdensome. The new group option enables them to register a group of updates to a news website as a collective work with a deposit composed of portions of the home page, rather than the entire website.⁴⁵

In December 2025, the Office established another group registration option, for two-dimensional artwork.⁴⁶ Stakeholders had requested this option, citing the large numbers of works many visual artists produce, particular risks of infringement when works are distributed to clients in electronic form, and challenges engaging with the registration system on a single work basis. This group registration became available for use in February 2026.

Collaborating with Other Agencies on International Matters: The Office participates in U.S. interagency consultations on international matters and trade initiatives related to copyright, such as the annual Special 301 review and bilateral discussions with other governments, as part of U.S. delegations led by the U.S. Patent and Trademark Office or the Office of the U.S. Trade Representative. We provide input as part of the interagency in copyright-related activities at the World Intellectual Property Organization (WIPO), the World Trade Organization (WTO), the G7/G20, the Organization for Economic Cooperation and Development (OECD), and other regional initiatives. We also collaborate directly with counterpart foreign offices on copyright registration issues and public education. Over the past year, we contributed copyright expertise to USTR-led negotiations over reciprocal trade with dozens of countries. This past September, we successfully produced the International Copyright Institute, our premier biennial training event, together with WIPO, bringing together 18 foreign copyright officials for intensive engagement on copyright law and policy.

B. ADMINISTERING THE COPYRIGHT ACT

Before the creation of a centralized copyright registration function within the Library of Congress in 1870, copyright registrations were filed with federal district courts. Starting in 1870, they were filed with the Librarian. When Congress made the Copyright Office a separate department within the Library in 1897, one of our primary functions was registering copyrights.

Both then and now, copyrighted materials have helped build the collections of the Library of Congress. Every year, the Library selects works deposited with the Office to include in its collections for

⁴⁴ Alternative Fee Structures for Registration, 91 Fed. Reg. 14724 (Mar. 26, 2026), <https://copyright.gov/policy/altfeestudy/>. Public comments in this docket are due June 24, 2026.

⁴⁵ Group Registration of Updates to a News Website, 89 Fed. Reg. 58991 (July 22, 2024). In fiscal 2025, the Office issued nearly 800 registrations under this option, covering thousands of news website updates.

⁴⁶ Group Registration of Two-Dimensional Artwork, 90 Fed. Reg. 59383 (Dec. 19, 2025).

the benefit of Congress and the public. In fiscal 2025 alone, the Office transferred books and other materials to the Library of Congress for its collections with an estimated value of \$57.8 million.⁴⁷

The Office's administration of the Copyright Act involves providing a number of services to the public, with our registration, recordation and public record search functions most commonly used by copyright owners, licensees, and researchers

Registration: In fiscal 2025, we registered 415,780 copyright claims involving millions of works.⁴⁸ During the lapse of appropriations from October 1 through November 12, 2025, the Office continued to receive registration applications, but staff could not process them. Before then, registration processing times were at historic lows, with the average for all claims at 2.5 months (and for electronic claims without correspondence, a mere 1.9 months). Now that normal operations have resumed, catching up with the claims received during the shutdown has caused some increase in average processing times. The average for examining all copyright claims now stands at 4.1 months for the first half of fiscal 2026. For fully electronic claims that do not require correspondence, the average is 3.6 months,⁴⁹ while electronic applications with physical deposits without correspondence average 4.4 months. We expect to reduce these times again in the coming months.

Recordation: In fiscal 2025, the Office recorded 12,310 documents containing titles of 5,704,306 works.⁵⁰ Our online recordation system, launched in April 2020, has strikingly shortened processing times, with the average time from submission to generation of the public record measured in days rather than months. Nearly 90% of all recordations now come in electronically.⁵¹

Public Records: The Office is the custodian of public records related to copyright, going back more than a hundred years. In June 2025, we replaced the legacy system with the new and improved online Copyright Public Records System (CPRS), the official source for both recordation and registration records. We also are in the process of digitizing and making older records available online.

Licensing: The Office maintained our effective stewardship of \$1.76 billion in fiduciary assets from statutory licenses collected under section 111 of the Copyright Act as of the end of fiscal 2025.⁵² We

⁴⁷ U.S. COPYRIGHT OFFICE, ANNUAL REPORT FISCAL 2025 19, <https://copyright.gov/reports/annual/2025/ar2025.pdf>. This amount is more than half of the Office's annual basic budget, and close to the total proposed appropriations we are requesting for fiscal 2027 (discussed further below).

⁴⁸ *Id.* at 16.

⁴⁹ Registration processing times are posted on our website at <https://copyright.gov/registration/docs/processing-times-faqs.pdf>. For the October 1, 2025, to March 31, 2026, timeframe, about 90% of all registration claims were eService claims (online claims and electronic deposits); about 9% were deposit ticket claims (online claims with separately mailed physical deposit materials); and about 1% were mail claims (paper claim forms and physical deposits). The effective date of a copyright registration is the day on which an acceptable application, deposit, and fee have all been received in the Copyright Office.

⁵⁰ There are three primary types of documents that are submitted for recordation: transfers of copyright ownership, other documents pertaining to a copyright, and notices of termination. The online recordation system is currently available for the first, most used, category.

⁵¹ Recordation processing times are posted on our website at <https://copyright.gov/recordation/>. Regardless of the processing time, the effective date of recordation is the date the Copyright Office receives the complete submission in acceptable form.

⁵² The Licensing Section is responsible for helping to administer the Copyright Act's various statutory licenses, including secondary transmissions of radio and television programs by cable and satellite systems, and fees paid for the importation or

received an unmodified or “clean” audit opinion of the fiscal 2024 statutory licensing fiduciary asset financial statements, for the eighth consecutive year.

C. TECHNOLOGY AND CONTINUOUS DEVELOPMENT

Fifty years ago, registration applications were submitted on paper. In 2008, the Office launched an electronic registration system, the Electronic Copyright Office (eCO), which is still in use today. When I became Register, the Office was working with the Library’s Office of the Chief Information Officer (OCIO) to update eCO and related IT systems, and build new ones to improve delivery of our online services to the public. This effort is now focused on developing the Enterprise Copyright System (ECS), which is well underway.

The continuous development of the Office’s information technology (IT) continues to be a top priority as well as a strategic goal. We are committed to making regular updates and improvements to avoid repeating the experience of having to overhaul severely outdated legacy systems.⁵³ We also collaborate with the Library on other business priorities enabled by technology, such as improving online access to historical public records and the operation of our new Contact Center. We do, however, face an uncertain fiscal environment as we plan for fiscal 2027 and 2028, which may impact the timeline for this work.

ECS is comprised of four main components: recordation, public records, licensing, and registration:

ECS Recordation: The online recordation system was the first ECS component to be released to the public, enabling recordation of documents under section 205 of title 17. Since its 2022 release, we continue to incorporate user feedback to make iterative improvements and are building the functionality for processing notices of termination.

ECS Copyright Public Records System (CPRS): The second ECS component to be publicly released was CPRS, which provides access to registration and recordation data with advanced search capabilities, filters, greater record access, and improved interfaces. On June 24, 2025, CPRS moved out of pilot phase to replace our legacy system, and we continue to enhance its functionality.

ECS Licensing: The Office completed development of the ECS Licensing component and initial automated workflows to replace outdated systems and processes in early 2025. We implemented the statement of account examination processes and transitioned certain royalty accounting processes onto the Library’s Financial System to streamline and enhance operations.

ECS Registration: Registration is the largest and most complex of the Office’s services and receives the most public use. ECS Registration will replace the existing eCO system, now almost 20 years old. The new system includes an external (public facing) component and an internal (staff) component, as well as an

distribution of digital audio recording devices or media. The Licensing Section collects and distributes royalties to copyright holders based on orders issued by the Copyright Royalty Judges (CRJ), a three-judge board which is not located in the Copyright Office, but is part of the Library of Congress.

⁵³ Under the Library of Congress’s centralized IT structure, OCIO is leading the work on user experience design and platform services—that is, the design and architecture capabilities underpinning the ECS. Years ago, the Library transitioned to an agile IT development model that emphasizes continuous development as well as delivery of functions and features that optimize the stakeholder experience.

electronic deposit (eDeposit) process. The eDeposit feature will provide enhanced upload and rendering capabilities to support the submission of large numbers of files in one group application, such as photographs, and very large files, such as feature-length motion pictures and television episodes. In 2025, we conducted 50 in-depth moderated user testing sessions with both individual and organizational users. The reaction was uniformly positive, with comments describing the difference between eCO and the new system as “like night and day.” The Office has worked with the Library’s OCIO to prioritize and reallocate IT and staff resources to accelerate development of ECS Registration.

Historical Public Records: As part of the Office’s commitment to the preservation of and access to historical copyright public records, we are digitizing print and microfilm records and making them available online.⁵⁴ This includes the card catalog (41.5 million cards), the Catalog of Copyright Entries (CCEs), microfilm, and the internal record books.⁵⁵ Considerable progress has been made; the first 500 record books were published on the Library’s website in February 2022,⁵⁶ and now 20,851 – 82% of the total collection – are available online.

Contact Center Services: The Office continues to expand Contact Center functions, improving workflows, and enhancing data-driven decision making. We are using a best-in-class customer relationship management (CRM) solution, which enhances the public’s experience, enables robust data analytics, and provides centralized knowledge management capabilities to track and route calls and emails more effectively.

Copyright Public Modernization Committee. In 2024, the Librarian of Congress reauthorized the Copyright Public Modernization Committee (CPMC) for another three-year term. The CPMC is designed to enhance communication with external stakeholders about the technology-related aspects of the Office’s work. In February 2026, we gave a public presentation to the CPMC on the three ECS components now in production, along with a demonstration of the ongoing work on ECS Registration.⁵⁷

D. PUBLIC OUTREACH AND EDUCATION

One of the Copyright Office’s top priorities is “Copyright for All”: making the copyright system as understandable and accessible to as many members of the public as possible. This includes creators who depend on the income from their copyrights and the audiences who enjoy their works. We provide a wide range of programming and materials tailored to their varying needs. In fact, the Office was one of the first federal government agencies to have an official website, launched in 1995.

We engage in numerous outreach activities to provide information on copyright law and our services, and to raise awareness of the CCB and other resources and programs, and to caution the public about misleading or fraudulent third-party copyright scams. In fiscal 2025, we hosted or participated in 190 outreach events and had 198,000 blog subscribers. We reached a wide range of audiences, from authors,

⁵⁴ For details on our Historical Public Records program, visit <https://www.copyright.gov/historic-records/>.

⁵⁵ The Office already digitized and made available online our physical card catalog, which is available in the Virtual Card Catalog (VCC), as well as the CCEs. See <https://copyright.gov/vcc/>.

⁵⁶ Scans of the Historical Record Books Collection are posted at <https://www.loc.gov/collections/copyright-historical-record-books-1870-to-1977/about-this-collection/>.

⁵⁷ Video and related material from CPMC public meetings can be found on the U.S. Copyright Office webpage at <https://www.copyright.gov/copyright-modernization/#modernization-committee>.

musicians and artists to students, business people, lawyers and academics, through in-person and virtual educational engagements, to provide resources and to gather feedback.

The Office's website, [copyright.gov](https://www.copyright.gov), had 8.1 million visits in fiscal 2025, and we maintain an active social media presence. The Public Information Office and Reading Room staff assist remote and in-person visitors. We handled over 240,000 calls, emails, letters and in-person requests for information in fiscal 2025, and produced numerous materials (from written documents to videos) to help the public. The Office also maintains a Fair Use Index with summaries of key cases.⁵⁸ And we make our Review Board determinations of appeals from refusals of copyright registration available on our website.⁵⁹

E. ENHANCING USE OF DATA AND ECONOMIC RESEARCH

One of my priorities upon joining the Office was to establish in-house economic expertise. In June 2022, we hired our first Chief Economist, and his staff has expanded to include another economist and a statistician. Their work furthers our strategic goal to enhance the use of data to inform policies and produce evidence on which to base operational decisions, including in support of our pending fee study.

The Office of the Chief Economist (OCE) has provided easy public access to decades of copyright registration and recordation data in bulk format. In January 2026, we released an updated version of a copyright registration and recordation bulk dataset refined by the economic team. This is the first major update since 2022, when we initially released bulk data on over forty years of copyright registrations and other recorded documents.⁶⁰ Through these data releases and related initiatives, OCE has produced several empirical studies,⁶¹ including a forthcoming analysis of the characteristics of authors reflected in copyright registrations.

F. ENSURING FINANCIAL STABILITY TO SERVE CONGRESS AND THE PUBLIC

The Office has maintained a relatively static level of staffing in recent years, while producing all of this impressive work. In fiscal 2026, we have 445 full time employees (FTEs), plus 26 in the Licensing Division and 7 in the Library's Copyright Royalty Judges. For our fiscal 2027 request, we have retained same total number of 478 FTEs.

The Office has been working with basically a flat budget for two years; this year we are requesting funds to catch up with inflationary increases. For fiscal 2027, the Office has submitted a request to the appropriations committees (through the Library's budget), for a total of \$107.904 million, including \$2.099 million to cover mandatory pay-related costs, and a price level increase of \$0.419 million for the costs of goods and services. We also request a permanent increase of \$3 million in offsetting collection authority (from \$37.025 million in fiscal 2026 to \$40.025 million in fiscal 2027). Finally, we are asking for a small

⁵⁸ Visit the Fair Use Index at <https://www.copyright.gov/fair-use/fair-index.html>.

⁵⁹ Review Board letters are posted at <https://www.copyright.gov/rulings-filings/review-board/>.

⁶⁰ U.S. Copyright Office, Newsnet, Copyright Office Releases Updated Version of Copyright Registration and Recordations Bulk Dataset (Jan. 22, 2026), <https://www.copyright.gov/newsnet/2026/1080.html>.

⁶¹ U.S. Copyright Office, Economic Research webpage, at <https://copyright.gov/economic-research/>. Reports such as *The Geography of Copyright Registrations* (2024), *The Resilience of Creativity* (2024), and *Women in the Copyright System* (2022), can be accessed there.

increase in the reception and representation fund from \$6,500 (as set in fiscal 2014) to \$15,000, to broaden our outreach and delivery of programs.

The Office appreciates Congress's support and provision of resources over the years for our IT modernization, which has made it possible to build the ECS system as completed so far. Maintaining momentum is essential to deliver the final and critical ECS Registration component in a timeframe acceptable to our stakeholders.

In recent years, an increasing part of the Office's budget is dedicated to IT development and related services, and those costs continue to rise. We anticipate that additional resources will be needed in fiscal 2028 to enable delivery of the ECS Registration component, integrate with other systems, and enable continuous improvement of all services. Without that additional funding, our plans to accelerate ECS Registration are at risk. That risk will likely escalate over time, as funds will have to be used to operate and maintain existing systems that are already beyond their useful life. The delivery timeline will significantly increase for a fully operational registration system with the required components, workflows, and integrations.

The Copyright Office's budget is composed of three separate budgets allocated by program areas:

- **Basic Budget.** This funds most of the Office's operations and initiatives, including the majority of payroll and related expenses and the operations of the CCB. Historically, the Basic Budget has been composed of a combination of appropriated dollars and offsetting fee collection authority, with fees constituting approximately 40% of this amount, and appropriated dollars 60% of the total. The Office is requesting \$97.192 million in fiscal 2027, an increase of \$5.220 million, or 5.7% over fiscal 2026. The increase represents \$2.220 million for mandatory pay-related and price level increases, with an increase to offsetting collections authority of \$3.0 million. This budget comprises \$40.025 million in offsetting fee collections (41%) and \$57.168 million (59%) in appropriated dollars.
- **Licensing Division Budget.** This is derived entirely from collection of licensing royalties payable to copyright owners and filing fees paid by cable and satellite licensees pursuant to statutory licenses administered by the Office. The Office's request for the Licensing Division is \$6.896 million in offsetting collection authority in fiscal 2027—an increase of \$0.184 million, or 2.7%, over fiscal 2026, to cover mandatory pay-related and price level increases.
- **Copyright Royalty Judges (CRJ) Budget.** Although the CRJ program is part of the Library of Congress and not the Copyright Office, we provide it with budget, financial management, and administrative support. CRJ appropriated funding supports payroll and partially funds other expenses not covered by fees and royalty payments. The Library of Congress is requesting a total of \$3.816 million for the Copyright Royalty Judges in fiscal 2027, an increase of \$0.114 million, or 3.1%, over fiscal 2026, offset by \$1.148 million in offsetting collection authority, for a net appropriation of \$2.668 million. This increase represents mandatory pay-related and price level increases.

II. LOOKING AHEAD

At 50 years of age, the Copyright Act has proved capable of adapting to major and unforeseen challenges and upheavals. Nevertheless, even the best designed and drafted law requires updating, and the Act has seen a series of substantive amendments to address new technologies and other developments. Today's iteration is of course the dramatic rise of generative AI. Congress is considering a range of AI-related issues that touch on copyright, such as transparency and various potential safeguards. And depending on the speed and degree of developments in AI-related case law, technology, and markets, further legislative attention may be required. Meanwhile, apart from the AI context, I believe the time is ripe for amendments to Title 17 in several areas (as discussed above), and the Office stands ready to assist in moving them forward.

I will close by stressing that the Copyright Office, with its modest basic budget of less than \$100 million, plays a critical part in supporting the American economy⁶² and its creative culture. We appreciate the Subcommittee's continued support of our work to benefit the users of our services and the public, to serve Congress, and to further the Constitutional mission of "promot[ing] the progress of science and useful arts."⁶³

⁶² Copyright law provides the foundation for a robust sector of our national economy. According to one industry source, the value added by the core copyright industries to U.S. Gross Domestic Product in 2023 reached more than \$2 trillion, accounting for 7.66% of the U.S. economy. These industries employed almost 11.6 million workers in 2023, accounting for 5.43% of the entire U.S. workforce, and 6.10% of total private employment in the United States. INT'L INTELL. PROP. ALL., COPYRIGHT INDUSTRIES IN THE U.S. ECONOMY: THE 2024 REPORT (2024), https://www.iipa.org/files/uploads/2025/02/IIPA-Copyright-Industries-in-the-U.S.-Economy-Report-2024_ONLINE_FINAL.pdf.

⁶³ U.S. CONST. art. I, § 8, cl. 8 (capitalization altered).