

contractor, under his prime contract with the Department, receives, possesses, uses, transfers or delivers source material for:

(1) The performance of work for the Department at a United States Government-owned or controlled site, including the transportation of source material to or from such site and the performance of contract services during temporary interruptions of such transportation;

(2) Research in, or development, manufacture, storage, testing or transportation of, atomic weapons or components thereof; or

(3) The use or operation of nuclear reactors or other nuclear devices in a United States Government-owned vehicle or vessel.

(b)(1) In addition to the foregoing exemptions, and subject to the requirement for licensing of Department facilities and activities pursuant to section 202 of the Energy Reorganization Act of 1974 or the Uranium Mill Tailings Radiation Control Act of 1978, any prime contractor or subcontractor of the Department or the Commission is exempt from the requirements for a license set forth in sections 62, 63, and 64 of the Act and from the regulations in this part to the extent that such prime contractor or subcontractor receives, possesses, uses, transfers or delivers source material under his prime contract or subcontract when:

(i) The Commission determines that the exemption of the prime contractor or subcontractor is authorized by law; and

(ii) Under the terms of the contract or subcontract, there is adequate assurance that the work thereunder can be accomplished without undue risk to the public health and safety.

(2) A Department or Commission prime contractor or subcontractor does not need to obtain the Commission approval described in paragraph (b)(1) of this section where:

(i) The prime contractor or subcontractor is performing temporary activities involving the training of law enforcement, emergency response, or other similar personnel;

(ii) The contract specifies the applicable leak testing, operating, emergency, and security procedures that the contractor or subcontractor is to follow during the temporary activities; and

(iii) The source material does not exceed the following aggregate quantities:

- (A) Sealed sources: 100 millicuries.
- (B) Unsealed sources: 10 millicuries.

PART 70—DOMESTIC LICENSING OF SPECIAL NUCLEAR MATERIAL

■ 8. The authority citation for part 70 is revised to read as follows:

Authority: Atomic Energy Act of 1954, secs. 51, 53, 57(d), 108, 122, 161, 182, 183, 184, 186, 187, 193, 223, 234, 274, 1701 (42 U.S.C. 2071, 2073, 2077(d), 2138, 2152, 2201, 2232, 2233, 2234, 2236, 2237, 2243, 2273, 2282, 2021, 2297f); Energy Reorganization Act of 1974, secs. 201, 202, 206, 211 (42 U.S.C. 5841, 5842, 5846, 5851); Nuclear Waste Policy Act of 1982, secs. 135, 141 (42 U.S.C. 10155, 10161); 44 U.S.C. 3504 note.

■ 9. Revise § 70.11 to read as follows:

§ 70.11 Persons using special nuclear material under certain Department of Energy and Nuclear Regulatory Commission contracts.

(a) Except to the extent that Department facilities or activities of the types subject to licensing pursuant to section 202 of the Energy Reorganization Act of 1974 are involved, any prime contractor of the Department is exempt from the requirements for a license set forth in section 53 of the Act and from the regulations in this part to the extent that such contractor, under his prime contract with the Department receives title to, owns, acquires, delivers, receives, possesses, uses, or transfers special nuclear material for:

(1) The performance of work for the Department at a United States Government-owned or controlled site, including the transportation of special nuclear material to or from such site and the performance of contract services during temporary interruptions of such transportation;

(2) Research in, or development, manufacture, storage, testing or transportation of, atomic weapons or components thereof; or

(3) The use or operation of nuclear reactors or other nuclear devices in a United States Government-owned vehicle or vessel.

(b)(1) In addition to the foregoing exemptions, and subject to the requirement for licensing of Department facilities and activities pursuant to section 202 of the Energy Reorganization Act of 1974, any prime contractor or subcontractor of the Department or the Commission is exempt from the requirements for a license set forth in section 53 of the Act and from the regulations in this part to the extent that such prime contractor or subcontractor receives title to, owns, acquires, delivers, receives, possesses, uses, or transfers special nuclear material under his prime contract or subcontract when:

(i) The Commission determines that the exemption of the prime contractor or subcontractor is authorized by law; and

(ii) Under the terms of the contract or subcontract there is adequate assurance that the work thereunder can be accomplished without undue risk to the public health and safety.

(2) A Department or Commission prime contractor or subcontractor does not need to obtain the Commission approval described in paragraph (b)(1) of this section where:

(i) The prime contractor or subcontractor is performing temporary activities involving the training of law enforcement, emergency response, or other similar personnel;

(ii) The contract specifies the applicable leak testing, operating, emergency, and security procedures that the contractor or subcontractor is to follow during the temporary activities; and

(iii) The special nuclear material consists exclusively of sealed sources in an aggregate quantity that does not exceed one one-millionth of special nuclear material of low strategic significance.

Dated: October 1, 2026.

For the Nuclear Regulatory Commission.

Jody Martin,

Secretary of the Commission.

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

24 CFR Part 75

[Docket No. FR–6622–N–01]

Section 3 Benchmarks for Creating Economic Opportunities for Low- and Very Low-Income Persons and Eligible Businesses

AGENCY: Office of the Assistant Deputy Secretary for Field Policy and Management, Department of the Housing and Urban Development (HUD).

ACTION: Notification of benchmark updates and request for comments.

SUMMARY: HUD's regulations require that HUD set Section 3 benchmarks by publishing a notification, subject to public comment, in the **Federal Register** and update the benchmarks no less frequently than once every three years by the same method of notification. This document serves as an update of the 2023 benchmark Notice and requests public comment about the Section 3 benchmark goals.

DATES: Effective November 4, 2026. The public comment period for the Notice published in the **Federal Register** is December 4, 2026.

FOR FURTHER INFORMATION CONTACT:

Jasmy Methipara, Management Analyst, Office of Field Policy and Management, Department of Housing and Urban Development, 2415 Eisenhower Avenue, Alexandria, VA 22314-4684; telephone 202-402-2188 (this is not a toll-free number). General email inquiries regarding Section 3 may be sent to: OfficeofFieldPolicyandManagement@hud.gov. HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.

SUPPLEMENTARY INFORMATION:

I. Background

Section 3 of the Housing and Urban Development Act of 1968, as amended by the Housing and Community Development Act of 1992 (Section 3), attempts to direct employment and other economic opportunities generated by Federal financial assistance for housing and community development programs, to the greatest extent feasible, toward low- and very low-income persons, particularly those who are recipients of government assistance for housing. HUD is statutorily required to implement and enforce Section 3 through regulation, which HUD has done through the Section 3 regulations at 24 CFR part 75.

The Section 3 regulations require HUD to establish Section 3 benchmarks for Section 3 workers and Targeted Section 3 workers through a document published in the **Federal Register**. 24 CFR 75.13(b) and 75.23(b). The regulations require HUD to update the benchmarks through a document published in the **Federal Register**, subject to public comment, not less frequently than once every three years. The first publication related to updating these Section 3 benchmarks, titled *Section 3 Benchmarks for Creating Economic Opportunities for Low- and Very Low-Income Persons and Eligible Businesses*, was published in the **Federal Register** at 85 FR 60907 (Sept. 29, 2020). The second publication related to these Section 3 benchmarks was published in the **Federal Register** at 88 FR 69219. The regulations require HUD to update the benchmarks through a document published in the **Federal Register**, subject to public comment, not

less frequently than once every three years.

II. Benchmark Notice

The regulation indicates that alteration of and updates to the established benchmark goals should be made in consideration of Section 3 labor hour data collected during the prior three-year period. After evaluation and consideration of the data collected to date, HUD has determined that the available data is not a sufficiently representative sample to support the alteration of the current published benchmark goals. Therefore, the benchmark goals will continue to be the ratios established in the original Section 3 benchmark Notice, and HUD will continue to support the labor hour goal methodology contained therein.

HUD considered a number of factors in making this decision. Most important of these is the fact that the relevant data is not yet available. Despite being published on September 29, 2020, the rule did not go into effect until November 30, 2020, and compliance only began to be required for Section 3 projects funded on or after July 1, 2021. The count of labor hours and evaluation of achievement of benchmark goals are not determined until a project is completed. Given the varying duration of construction projects, a number of larger Section 3 projects—those with higher numbers of labor hours—funded after July 1, 2021, have not yet completed construction and therefore have not reported final labor hours for Section 3 workers or Targeted Section 3 workers. Additionally, the Section 3 Reporting Application for Public Housing Financial Assistance was launched on January 21, 2026 for recipients with fiscal year end dates of September 30, 2025, and December 31, 2025. The reporting window for the last cohort of public housing authorities closes July 30, 2026. This means that Public Housing Financial Assistance recipients will have only reported their first year of data under the Section 3 regulations by July 30, 2026 as they were not required to report labor hours under 24 CFR part 75 until a reporting system was in place, which does not give HUD a full three years of data to review. Factors, among others, have contributed to initial reports containing limited data on a small subset of projects, which HUD believes does not create a large or representative enough sample of data to merit a change to the existing benchmarks.

While HUD has decided not to change the benchmark goals for Public Housing Financial Assistance and Section 3 Projects, the department would like to

solicit comments on the overall experience of grantees, contractors, and other stakeholders in achieving the existing benchmark goals along with any challenges faced or recommendations for appropriate benchmarks for future updates.

HUD will publish another update Notice no later than three years after the publication of this Notice, as required by the Section 3 regulations. Also, the department will not be issuing a second Notice subject to public comment unless comments are received that provide basis for additional revision of this Notice.

Joseph DeFelice,

Assistant Deputy Secretary for Field Policy and Management.

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket Number USCG-2026-1260]

RIN 1625-AA08

Special Local Regulation; Allegheny River Mile Marker 20.5-21, Creighton, PA

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary special local regulation (SLR) on the waters of the Allegheny River from mile marker 20.5 to mile marker 21 in Creighton, PA. This action is necessary to provide for the safety of life on these navigable waters from potential hazards during a paddle boat race on October 10, 2026. This regulation prohibits persons and vessels from entering the regulated area unless specifically authorized by the Captain of the Port Pittsburgh or their designated representative.

DATES: This rule is effective from 8 a.m. until 4 p.m. on October 10, 2026.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, contact MST3 Jakob Wassler-Beck, Marine Safety Unit Pittsburgh Waterways Management Division, U.S. Coast Guard; telephone 206-815-6624, or email STL-SMB-MSUPittsburgh-Waterways@uscg.mil.

SUPPLEMENTARY INFORMATION: