

administrative action such as Executive Order (E.O.) 13175 (Consultation and Coordination with Indian Tribal Governments)—by adhering to the consultation framework described in its Consultation Policy published July 15, 2013. The NIGC’s consultation policy specifies that it will consult with tribes on Commission Action with Tribal Implications, which is defined as: Any Commission regulation, rulemaking, policy, guidance, legislative proposal, or operational activity that may have a substantial direct effect on an Indian tribe on matters including, but not limited to, the ability of an Indian tribe to regulate its Indian gaming; an Indian Tribe’s formal relationship with the Commission; or the consideration of the Commission’s trust responsibilities to Indian tribes.

Pursuant to this policy, on June 9, 2021, the National Indian Gaming Commission sent a Notice of Consultation announcing that the Agency intended to consult on a number of topics, including proposed changes to the management contract process. On July 27, 2021, and July 28, 2021, the Commission held two virtual consultations on the proposed changes to the management contract process.

**List of Subjects in 25 CFR Part 537**

Gambling, Indian—lands, Indian—tribal government, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, the Commission amends 25 CFR part 537 as follows:

**PART 537—BACKGROUND INVESTIGATIONS FOR PERSONS OR ENTITIES WITH A FINANCIAL INTEREST IN, OR HAVING MANAGEMENT RESPONSIBILITY FOR, A MANAGEMENT CONTRACT**

■ 1. The authority citation for part 537 continues to read:

**Authority:** 25 U.S.C. 81, 2706(b)(10), 2710(d)(9), 2711.

■ 2. Amend § 537.1 by revising paragraphs (a)(1) through (3) and adding paragraph (d) to read as follows:

**§ 537.1 Applications for approval.**

- (a) \* \* \*
  - (1) All persons who have 10 percent or more or indirect financial interest in a management contract;
  - (2) All entities with 10 percent or more financial interest in a management contract; and
  - (3) Any other person or entity with a direct or indirect financial interest in a management contract otherwise designated by the Commission.

\* \* \* \* \*

(d) For any of the following entities, or individuals associated with the following entities, the Chair may, upon request or unilaterally, exercise discretion to reduce the scope of the information to be furnished and background investigation to be conducted:

- (1) Tribe as defined at 25 CFR 502.13;
- (2) Wholly owned Tribal entity;
- (3) National bank; or
- (4) Institutional investor that is federally regulated or is required to undergo a background investigation and licensure by a State or Tribe pursuant to a Tribal-State compact.

**Edward Simermeyer,**  
*Chairman.*  
**Jean Hovland,**  
*Vice Chair.*

[FR Doc. 2022–24135 Filed 11–10–22; 8:45 am]  
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**DEPARTMENT OF THE TREASURY**

**Internal Revenue Service**

**26 CFR Part 1**

[TD 9967]

RIN 1545–B092

**Section 42, Low-Income Housing Credit Average Income Test Regulations; Correction**

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Correcting amendments.

**SUMMARY:** This document contains corrections to the final regulations (Treasury Decision 9967) published in the **Federal Register** on Wednesday, October 12, 2022. This correction includes final and temporary regulations setting forth guidance on the average income test for purposes of the low-income housing credit.

**DATES:** These corrections are effective on *November 14, 2022* and applicable on or after October 12, 2022.

**FOR FURTHER INFORMATION CONTACT:** Concerning the regulations, Dillon Taylor at (202) 317–4137.

**SUPPLEMENTARY INFORMATION:**

**Background**

The final regulations (TD 9967) subject to this correction are issued under section 42 of the Internal Revenue Code.

**List of Subjects in 26 CFR Part 1**

Income taxes, Reporting and recordkeeping requirements.

**Correction of Publication**

Accordingly, 26 CFR part 1 is corrected by making the following correcting amendments:

**PART 1—INCOME TAXES**

■ **Paragraph 1.** The authority citation for part 1 continues to read in part as follows:

**Authority:** 26 U.S.C. 7805 \* \* \*

■ **Par. 2.** Section 1.42–19 is amended by revising the first sentence of paragraph (d)(1)(v) to read as follows:

**§ 1.42–19 Average income test.**

\* \* \* \* \*

(d) \* \* \*

(1) \* \* \*

(v) \* \* \*

If one or more units lose low-income status or if there is a change in the imputed income limitation of some unit and if either event would cause a previously qualifying group of units to cease to be described in paragraph (b)(2)(ii) of this section, then the taxpayer may designate an imputed income limitation for a market-rate unit or may reduce the existing imputed income limitations of one or more other units in the project in order to restore compliance with the average income requirement. \* \* \*

\* \* \* \* \*

**Oluwafunmilayo A. Taylor,**  
*Branch Chief, Legal Processing Division, Associate Chief Counsel, (Procedure and Administration).*

[FR Doc. 2022–24636 Filed 11–10–22; 8:45 am]  
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**DEPARTMENT OF THE TREASURY**

**Internal Revenue Service**

**26 CFR Part 1**

[TD 9967]

RIN 1545–B092

**Section 42, Low-Income Housing Credit Average Income Test Regulations; Correction**

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Final and temporary regulations; correction.

**SUMMARY:** This document contains corrections to the final regulations (Treasury Decision 9967) published in the **Federal Register** on Wednesday, October 12, 2022. This correction includes final and temporary regulations setting forth guidance on the average income test for purposes of the low-income housing credit.

**DATES:** These corrections are effective on *November 14, 2022* and applicable on or after October 12, 2022.

**FOR FURTHER INFORMATION CONTACT:** Concerning the regulations, Dillon Taylor at (202) 317-4137.

**SUPPLEMENTARY INFORMATION:**

**Background**

The final regulations (TD 9967) subject to this correction are issued under section 42 of the Internal Revenue Code.

**Correction of Publication**

Accordingly, the final regulations (TD 9967) that are the subject of FR Doc. 2022-22070, appearing on page 61489 in the **Federal Register** on October 12, 2022, are corrected to read as follows:

1. On page 61489, in the third column, in the thirteenth line from the top of the column, the language “142(d)(6)” is corrected to read “142(d)(6)”.

2. On page 61490, in the third column, in the fourth and fifth lines from the bottom of the column, the language “market rate” is corrected to read “market-rate”.

3. On page 61492, in the first column, the last line from the bottom of the column, the language “IRS” is corrected to read “the IRS”.

4. On page 61492, in the third column, in the last paragraph, the seventh line from the top of the paragraph, the language “apliable” is corrected to read “applicable”.

5. On page 61494, in the second column, in the last paragraph, the twelfth line from the bottom, the language “42(c)(1)(c)(i)” is corrected to read “42(c)(1)(i)(C)”.

6. On page 61495, in the third column, in the first full paragraph, in the third line, the language “proposal rule” is corrected to read “proposed rule”.

7. On page 61497, in the third column, in the third full paragraph, in the tenth line from the top of the paragraph, the language “makes” is corrected to read “make”.

8. On page 61498, in the second column, in the first full paragraph, in the second and ninth lines from the top of the paragraph, the language “IRS” is corrected to read “the IRS”.

9. On page 61500, in the second column, under the caption “III. Regulatory Flexibility Act”, in the first full paragraph, in the tenth line from the bottom of the paragraph, the language “test”) is corrected to read “test”.

10. On page 61500, in the second column, under the caption “III. Regulatory Flexibility Act”, in the

second full paragraph, the third line from the bottom of the paragraph, the language “(v)” is corrected to read “(vi)”.

**Oluwafunmilayo A. Taylor,**  
*Branch Chief, Legal Processing Division,*  
*Associate Chief Counsel, (Procedure and Administration).*

[FR Doc. 2022-24634 Filed 11-10-22; 8:45 am]

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**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 117**

[Docket No. USCG-2022-0826]

**RIN 1625-AA09**

**Drawbridge Operation Regulation; Hackensack River, Jersey City, NJ**

**AGENCY:** Coast Guard, Department of Homeland Security (DHS).

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is temporarily modifying the operating schedule that governs the PATH Bridge across the Hackensack River, mile 3.0, at Jersey City, New Jersey. This action is necessary to allow for an unexpected delay in material delivery related to COVID-19 pandemic. This temporary final rule is necessary to allow the bridge owner to complete the remaining replacements and repairs.

**DATES:** This temporary final rule is effective 12:01 a.m. on November 14, 2022, through 12:01 a.m. on March 23, 2023.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>. Type the docket number (USCG-2022-0806) in the “SEARCH” box and click “SEARCH”. In the Document Type column, select “Supporting & Related Material”.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this temporary final rule, call or email Judy Leung-Yee, Bridge Management Specialist, U.S. Coast Guard; telephone: 212-514-4336, email: [Judy.K.Leung-Yee@uscg.mil](mailto:Judy.K.Leung-Yee@uscg.mil).

**SUPPLEMENTARY INFORMATION:**

**I. Table of Abbreviations**

CFR Code of Federal Regulations  
DHS Department of Homeland Security  
FR Federal Register  
OMB Office of Management and Budget  
NPRM Notice of proposed rulemaking  
Pub. Law Public Law  
§ Section

U.S.C. United States Code

**II. Background Information and Regulatory History**

The Coast Guard is issuing this temporary final rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are “impracticable, unnecessary, or contrary to the public interest.” Under 5 U.S.C. 553(b), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it is impracticable.

On March 24, 2022, the Coast Guard issued a General Deviation for 180 days which allowed the bridge owner to deviate from the current operating schedule in 33 CFR 117.732(b) to repair the bridge. This deviation letter can be found in this Docket as supporting documentation. Due to delays in procuring materials for replacement of the bridge control system the project ran past the allotted 180 days. The work cannot stop and needs to continue in order to bring the bridge back to normal operation. Therefore, there is lack of sufficient time to provide a reasonable comment period and then consider those comments before issuing the modification.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making it effective in less than 30 days after publication in the **Federal Register**. For reasons presented above, delaying the effective date of this rule would be impracticable and contrary to the public interest given the need to complete repairs to the bridge which are already underway and preventing full operation.

**III. Legal Authority and Need for the Rule**

The Coast Guard is issuing this rule under authority 33 U.S.C. 499. The Coast Guard is modifying the operating schedule that governs the PATH Bridge across Hackensack River, mile 3.0, at Jersey City, New Jersey. The PATH Bridge is a vertical lift bridge offering mariners a vertical clearance of 40 feet at mean high water and 45 feet at mean low water in the closed position.

The existing drawbridge regulations are listed at 33 CFR 117.723(b). The Port Authority Trans-Hudson Corporation, the bridge owner, has requested this modification as additional time is