

provision (WEP) of the Act. The Eighth Circuit rejected our interpretation of 42 U.S.C. 415(a)(7)(A)(III) that monthly payments based on noncovered civilian employment, including the CSRS payments to dual-status National Guard technicians, are subject to the WEP.

On January 13, 2022, in *Babcock v. Kijakazi*, 142 S. Ct. 641 (2022), the Supreme Court upheld our interpretation of 42 U.S.C. 415(a)(7)(A)(III) that the CSRS payments to dual-status National Guard technicians do not qualify for the uniformed services exception to the WEP because they are not based wholly on the technicians' service as a members of a uniformed service. The Supreme Court explained that even though dual-status technicians must maintain National Guard membership and wear military uniforms, their technician work is not performed "as"—in the role, capacity, or function of—a member of the National Guard. "[T]he role, capacity, or function in which a technician serves is that of a civilian, not a member of the National Guard." 142 S. Ct. at 645. In addition, the Court explained, Congress explicitly classified the dual-status technicians as civilian employees of the Federal government. *Id.* at 646.

Because, in *Babcock*, the Supreme Court rejected the holding in *Petersen* by upholding our policy of applying the WEP to the CSRS payments of dual-status National Guard technicians, we are rescinding AR 12–1(8) in accordance with 20 CFR 404.985(e)(1).

(Catalog of Federal Domestic Assistance Program Nos. 96.002, Social Security—Retirement Insurance; and 96.004, Social Security—Survivors Insurance)

The Acting Commissioner of Social Security, Kilolo Kijakazi, Ph.D., M.S.W., having reviewed and approved this document, is delegating the authority to electronically sign this document to William P. Gibson, Federal Register Liaison for SSA, for purposes of publication in the **Federal Register**.

William P. Gibson,

Federal Register Liaison, Office of Legislation and Congressional Affairs, Social Security Administration.

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OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Fiscal Year 2023 Tariff-Rate Quota Allocations for Refined and Specialty Sugar

AGENCY: Office of the United States Trade Representative.

ACTION: Notice.

SUMMARY: The Office of the United States Trade Representative is providing notice of allocations of the Fiscal Year (FY) 2023 (October 1, 2022 through September 30, 2023) in-quota quantity of the tariff-rate quota (TRQ) for imports of certain sugars, syrups and molasses (also known as refined sugar), including specialty sugar.

DATES: The changes made by this notice are applicable as of September 19, 2022.

FOR FURTHER INFORMATION CONTACT: Erin Nicholson, Office of Agricultural Affairs, at 202–395–9419, or Erin.H.Nicholson@ustr.eop.gov.

SUPPLEMENTARY INFORMATION: Pursuant to Additional U.S. Note 5 to chapter 17 of the Harmonized Tariff Schedule of the United States (HTSUS), the United States maintains TRQs for imports of raw cane sugar and refined sugar. Pursuant to Additional U.S. Note 8 to chapter 17 of the HTSUS, the United States maintains a TRQ for imports of sugar-containing products. Section 404(d)(3) of the Uruguay Round Agreements Act (19 U.S.C. 3601(d)(3)) authorizes the President to allocate the in-quota quantity of a TRQ for any agricultural product among supplying countries or customs areas. The President delegated this authority to the U.S. Trade Representative under Presidential Proclamations 6763 (60 FR 1007) and 7235 (64 FR 55611).

On September 15, 2022, the U.S. Department of Agriculture (USDA) announced the establishment of the in-quota quantity of the FY2023 refined sugar TRQ at 222,000 metric tons raw value (MTRV) for which the sucrose content, by weight in the dry state, must have a polarimeter reading of 99.5 degrees or more. This amount includes the minimum level to which the United States is committed under the WTO Agreement (22,000 MTRV of which 1,656 MTRV is reserved for specialty sugar) and an additional 200,000 MTRV for specialty sugar. The U.S. Trade Representative is allocating the refined sugar TRQ as follows: 10,300 MTRV of refined sugar to Canada, 2,954 MTRV to Mexico, and 7,090 MTRV to be administered on a first-come, first-served basis. Imports of all specialty sugar will be administered on a first-come, first-served basis in five tranches.

USDA has announced that the total in-quota quantity of specialty sugar will be the 1,656 MTRV included in the WTO minimum plus an additional 200,000 MTRV. The first tranche of 1,656 MTRV will open October 3, 2022. All types of specialty sugar are eligible for entry under this tranche. The second tranche of 60,000 MTRV will open on October 10, 2022. The third tranche of 60,000 MTRV will open on January 20, 2023. The fourth tranche of 40,000 MTRV will open on April 14, 2023. The fifth tranche of 40,000 MTRV will open on July 14, 2023. The second, third, fourth, and fifth tranches will be reserved for organic sugar and other specialty sugar not currently produced commercially in the United States or reasonably available from domestic sources.

Refined and specialty sugar for the FY2023 TRQ may enter the United States as of October 3, 2022.

Greta Peisch,

General Counsel, Office of the United States Trade Representative.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. FAA–2022–0222]

Agency Information Collection Activities: Requests for Comments; Clearance of a Renewed Approval of Information Collection: Survey of Airman Satisfaction With Aeromedical Certification Services

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about our intention to request the Office of Management and Budget (OMB) approval to renew an information collection. The collection involves soliciting feedback from airmen on service quality of Aeromedical Certification Services. The information to be collected will be used to inform improvements in Aeromedical Certification Services.

DATES: Written comments should be submitted by October 19, 2022.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular