(h) Exceptions to EASA AD 2021–0125R1

(1) Where EASA AD 2021–0125R1 refers to May 11, 2021 (the effective date of EASA Emergency AD 2021–0125–E, dated May 7, 2021), this AD requires using June 30, 2021 (the effective date of AD 2021–13–07).

(2) This AD does not adopt the Remarks paragraph of EASA AD 2021–0125R1.

(i) Alternative Methods of Compliance (AMOCs)

(1) The Manager, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the International Validation Branch, send it to the attention of the person identified in paragraph (j) of this AD and email to *ANE-AD-AMOC@faa.gov.*

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(j) Additional Information

For more information about this AD, contact Barbara Caufield, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (781) 238–7146; email: *barbara.caufield@faa.gov.*

(k) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) European Union Aviation Safety Agency (EASA) AD 2021–0125R1, dated January 30, 2023.

(ii) [Reserved]

(3) For EASA AD 2021–0125R1, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: *ADs@easa.europa.eu;* website: *easa.europa.eu.* You may find this EASA AD on the EASA website at *ad.easa.europa.eu.*

(4) You may view this service information at FAA, Airworthiness Products Section, Operational Safety Branch, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the FAA, call (817) 222–5110.

(5) You may view this material at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, visit *www.archives.gov/federal-register/cfr/ibr-locations* or email *fr.inspection@nara.gov.*

Issued on January 29, 2024.

Victor Wicklund,

Deputy Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2024–03562 Filed 2–21–24; 8:45 am]

BILLING CODE 4910–13–P

FEDERAL TRADE COMMISSION

16 CFR Part 463

RIN 3084–AB72

Combating Auto Retail Scams Trade Regulation Rule

AGENCY: Federal Trade Commission.

ACTION: Final rule; delay of effective date.

SUMMARY: On January 4, 2024, the Federal Trade Commission (''FTC'' or ''Commission'') published a Final Rule in the **Federal Register**, titled ''Combating Auto Retail Scams Trade Regulation Rule'' (''CARS Rule,'' ''Rule,'' or ''Final Rule''), in order to curtail certain unfair or deceptive acts or practices by motor vehicle dealers. The CARS Rule was to become effective on July 30, 2024. Because of a pending legal challenge, this document announces that the effective date of the Final Rule is delayed until further notice.

DATES: The effective date of the final rule adding 16 CFR part 463, published at 89 FR 590, January 4, 2024, is delayed indefinitely. The FTC will publish a subsequent notification in the **Federal Register** announcing the CARS Rule's effective date.

FOR FURTHER INFORMATION CONTACT: Daniel Dwyer or Sanya Shahrasbi, Division of Financial Practices, Bureau of Consumer Protection, Federal Trade Commission, 202–326–2957 (Dwyer), 202–326–2709 (Shahrasbi), *ddwyer@ftc.gov, sshahrasbi@ftc.gov.*

SUPPLEMENTARY INFORMATION:

I. Background [1]

On January 4, 2024, the Commission published a Final Rule in the **Federal Register,** titled ''Combating Auto Retail Scams Trade Regulation Rule,'' to curtail certain unfair or deceptive acts or practices by motor vehicle dealers. *See* 89 FR 590 (Jan. 4, 2024).[2] The CARS Rule was to become effective on July 30, 2024.

On or about January 5, 2024, the National Automobile Dealers Association and the Texas Automobile Dealers Association (''Petitioners'') filed a Petition for Review (''PFR'') in the United States Court of Appeals for the Fifth Circuit. *Nat'l Auto. Dealers Ass'n* v. *FTC,* No. 24–60013 (5th Cir. filed Jan. 5, 2024). On January 8, 2024, the Petitioners filed a motion with the Fifth Circuit seeking a stay of the Rule and expedited consideration of their PFR. Although Petitioners did not seek a stay from the Commission in the first instance as required by Rule 18(a)(1) of the Federal Rules of Appellate Procedure, the Commission has nonetheless reviewed Petitioners' motion, construing it as though it were a stay request submitted under Commission Rule 4.2(d), 16 CFR 4.2(d).

The Administrative Procedure Act (''APA'') provides, in relevant part, that ''[w]hen an agency finds that justice so requires, it may postpone the effective date of action taken by it, pending judicial review.'' *See* 5 U.S.C. 705. The Commission believes the Rule will provide consumers with critical protections from auto retail scams, Petitioners' challenges to the Rule lack merit, and undue delay in the Rule's effective date will harm consumers and honest businesses. Petitioners' arguments for a stay rest on mischaracterizations of what the Rule requires of covered motor vehicle dealers, including inaccurate claims that the Rule will require dealers to overhaul their practices and will substantially increase compliance costs. In fact, the Rule does not impose substantial costs, if any, on dealers that presently comply with the law, and to the extent there are costs, those are outweighed by the benefits to consumers, to law-abiding dealers, and to fair competition—because honest dealers will no longer be at a competitive disadvantage relative to dishonest dealers. Nonetheless, Petitioners have created uncertainty through their assertions and suggestions that legally compliant dealers must make unnecessary changes to satisfy Petitioners' misunderstandings of the Rule. Additionally, Petitioners are seeking expedited consideration of the PFR, and, if that request is granted, the stay of the effective date should not postpone implementation of the Rule by more than a few months, if at all. Balancing the equities here, the Commission has determined it is in the interests of justice to stay the effective date of the Rule to allow for judicial review. Once the PFR's merits are resolved, the Commission will publish a

[1] This section is substantively identical to the order that the Commission issued on January 18, 2024. *See* Order Postponing Effective Date of Final Rule Pending Judicial Review, In re Combating Auto Retail Scams Trade Regulation Rule, No. P204800 (Jan. 18, 2024), *https://www.ftc.gov/system/files/ftc_gov/pdf/P204800CARSExtensionOrder.pdf.*

[2] In accordance with its rulemaking authority under 12 U.S.C. 5519(d), the Commission promulgated the CARS Rule pursuant to 15 U.S.C. 45 and 57a(a)(1)(B) and 5 U.S.C. 553. 12 U.S.C. 5519(f)(1) and (f)(2) contain the pertinent definitions of ''motor vehicle'' and ''motor vehicle dealer,'' and the Rule applies only to a ''covered'' subset. *See* 89 FR 590, 693–94 (Jan. 4, 2024) (to be codified at 16 CFR 462.3(e) through (f)).

document in the **Federal Register** establishing a new effective date.

II. Administrative Procedure Act

Notice and comment is not required when an agency delays the effective date of a rule under section 705 of the APA because such a stay is not substantive rulemaking; it merely maintains the status quo to allow for judicial review.[3]

To the extent that a delay in the effective date may be deemed a rule, such action is also exempt from notice and comment as a rule of procedure under 5 U.S.C. 553(b)(A).[4] Alternatively, the Commission finds, for good cause, for the reasons stated above, that notice and solicitation of public comment regarding the delay of the effective date for the CARS Rule are impracticable, unnecessary, or contrary to the public interest pursuant to 5 U.S.C. 553(b)(B). Balancing the equities here, the Commission has determined that it is in the interests of justice to stay the effective date of the Rule to allow for judicial review.

By direction of the Commission.

April J. Tabor,

Secretary.

[FR Doc. 2024–03559 Filed 2–21–24; 8:45 am]

BILLING CODE 6750–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 14

[Docket No. FDA-2024–N–0017]

Advisory Committee; Digital Health Advisory Committee; Addition to List of Standing Committees

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA or Agency) is amending the standing advisory committees regulations to add the establishment of the Digital Health Advisory Committee (the Committee) to the list of standing advisory committees.

DATES: This rule is effective February 22, 2024.

FOR FURTHER INFORMATION CONTACT: James Swink, Office of Management, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 5211, Silver Spring, MD 20993, 301–796–6313, *James.swink@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: The Committee was established on October 11, 2023, and notice of establishment was published in the **Federal Register** on October 12, 2023 (88 FR 70679).

The Committee will provide advice to the Commissioner, or designee, on complex scientific and technical issues related to digital health technologies (DHTs). This also may include advice on the regulation of DHTs and/or their use, including use of DHTs in clinical trials or postmarket studies subject to FDA regulation. Topics relating to DHTs, such as artificial intelligence/machine learning, augmented reality, virtual reality, digital therapeutics, wearables, remote patient monitoring, and software, may be considered by the Committee. The Committee will advise the Commissioner on issues related to DHTs, including, for example, real-world data, real-world evidence, patient-generated health data, interoperability, personalized medicine/genetics, decentralized clinical trials, use of DHTs in clinical trials for medical products, cybersecurity, DHT user experience, and Agency policies and regulations regarding these technologies. The Committee will provide relevant expertise and perspective to improve Agency understanding of the benefits, risks, and clinical outcomes associated with use of DHTs. The Committee will perform its duties by providing advice and recommendations on new approaches to develop and evaluate DHTs and to promote innovation of DHTs, as well as identifying risks, barriers, or unintended consequences that could result from proposed or established Agency policy or regulation for topics related to DHTs.

The Committee shall consist of a core of nine voting members including the Chair. Members and the Chair are selected by the Commissioner or designee from among authorities knowledgeable in the fields of digital health, such as artificial intelligence/machine learning, augmented reality, virtual reality, digital therapeutics, wearables, remote patient monitoring, software development, user experience, real-world data, real-world evidence, patient-generated health data, interoperability, personalized medicine/genetics, decentralized clinical trials, cybersecurity, and implementation in clinical practice of and patient experience with digital health, as well as other relevant areas. Members will be invited to serve for overlapping terms of up to 4 years. Non-Federal members of this committee will serve either as special government employees or non-voting representatives. Federal members will serve as regular government employees. The core of voting members may include one technically qualified member, selected by the Commissioner or designee, who serves as an individual, but who is identified with consumer interests and is recommended by either a consortium of consumer-oriented organizations or other interested persons.

The Commissioner or designee shall also have the authority to select from a group of individuals nominated by industry to serve temporarily as non-voting members who are identified with and represent industry interests. The number of temporary members selected for a particular meeting will depend on the meeting topic.

The Committee name and function have been established with the establishment of the Committee charter. The change became effective October 11, 2023. Therefore, the Agency is amending § 14.100 (21 CFR 14.100) to add the Committee name and function to its current list as set forth in the regulatory text of this document.

Under 5 U.S.C. 553(b)(3)(B) and (d) and 21 CFR 10.40(d) and (e), the Agency finds good cause to dispense with notice and public comment procedures and to proceed to an immediate effective date on this rule. Notice and public comment and a delayed effective date are unnecessary and are not in the public interest as this final rule merely amends § 14.100 to include the name of the committee and its function that will be added consistent with the committee charter.

Therefore, the Agency is amending § 14.100 as set forth in the regulatory text of this document.

List of Subjects in 21 CFR Part 14

Administrative practice and procedure, Advisory committees, Color additives, Drugs, Radiation protection.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 14 is amended as follows:

PART 14—PUBLIC HEARING BEFORE A PUBLIC ADVISORY COMMITTEE

■ 1. The authority citation for part 14 continues to read as follows:

[3] *See Bauer* v. *DeVos,* 325 F. Supp.3d 74, 106–07 (D.D.C. 2018); *Sierra Club* v. *Jackson,* 833 F. Supp. 2d 11, 28 (D.D.C. 2012).

[4] Because a notice of proposed rulemaking is not necessary for this delay of effective date, the Commission is not required to prepare a regulatory flexibility analysis under the Regulatory Flexibility Act. *See* 5 U.S.C. 603(a), 604(a).