

1 (2) such disposal is subject to conditions as
2 may be necessary to protect Government interests
3 and meet program requirements.

4 **TITLE VI—PREVENTING ONLINE**
5 **SALES OF E-CIGARETTES TO**
6 **CHILDREN**

7 **SEC. 601. SHORT TITLE.**

8 This title may be cited as the “Preventing Online
9 Sales of E-Cigarettes to Children Act”.

10 **SEC. 602. AMENDMENTS TO THE JENKINS ACT.**

11 (a) IN GENERAL.—The Act entitled “An Act to assist
12 States in collecting sales and use taxes on cigarettes”, ap-
13 proved October 19, 1949 (commonly known as the “Jen-
14 kins Act”) (15 U.S.C. 375 et seq.), is amended—

15 (1) in section 1 (15 U.S.C. 375)—

16 (A) in paragraph (2)(A)(ii)—

17 (i) by striking “includes roll-your-own
18 tobacco” and inserting the following: “in-
19 cludes—

20 “(I) roll-your-own tobacco”;

21 (ii) in subclause (I), as so designated,
22 by striking the period at the end and in-
23 serting “; and”; and

24 (iii) by adding at the end the fol-
25 lowing:

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1 “(II) an electronic nicotine deliv-
2 ery system.”;

3 (B) by redesignating paragraphs (7)
4 through (14) as paragraphs (8) through (15),
5 respectively; and

6 (C) by inserting after paragraph (6) the
7 following:

8 “(7) ELECTRONIC NICOTINE DELIVERY SYS-
9 TEM.—The term ‘electronic nicotine delivery sys-
10 tem’—

11 “(A) means any electronic device that,
12 through an aerosolized solution, delivers nico-
13 tine, flavor, or any other substance to the user
14 inhaling from the device;

15 “(B) includes—

16 “(i) an e-cigarette;

17 “(ii) an e-hookah;

18 “(iii) an e-cigar;

19 “(iv) a vape pen;

20 “(v) an advanced refillable personal
21 vaporizer;

22 “(vi) an electronic pipe; and

23 “(vii) any component, liquid, part, or
24 accessory of a device described in subpara-
25 graph (A), without regard to whether the

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1 component, liquid, part, or accessory is
2 sold separately from the device; and

3 “(C) does not include a product that is—

4 “(i) approved by the Food and Drug
5 Administration for—

6 “(I) sale as a tobacco cessation
7 product; or

8 “(II) any other therapeutic pur-
9 pose; and

10 “(ii) marketed and sold solely for a
11 purpose described in clause (i).”; and

12 (2) in section 2A(b)(1) (15 U.S.C. 376a(b)(1)),

13 by inserting “NICOTINE/” after
14 “CIGARETTES/”.

15 (b) EFFECTIVE DATE.—This section, and the amend-
16 ments made by this section, shall take effect on the date
17 that is 90 days after the date of enactment of this Act.

18 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
19 tion, or an amendment made by this section, may be con-
20 strued to affect or otherwise alter any provision of the
21 Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301
22 et seq.), including its implementing regulations.

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1 **SEC. 603. NONMAILABILITY OF ELECTRONIC NICOTINE DE-**
2 **LIVERY SYSTEMS.**

3 (a) REGULATIONS.—Not later than 120 days after
4 the date of enactment of this Act, the United States Postal
5 Service shall promulgate regulations to clarify the applica-
6 bility of the prohibition on mailing of cigarettes under sec-
7 tion 1716E of title 18, United States Code, to electronic
8 nicotine delivery systems, in accordance with the amend-
9 ment to the definition of “cigarette” made by section 602.

10 (b) EFFECTIVE DATE.—The prohibition on mailing
11 of cigarettes under section 1716E of title 18, United
12 States Code, shall apply to electronic nicotine delivery sys-
13 tems on and after the date on which the United States
14 Postal Service promulgates regulations under subsection
15 (a) of this section.

16 **TITLE VII—FAFSA**
17 **SIMPLIFICATION**

18 **SEC. 701. SHORT TITLE; EFFECTIVE DATE.**

19 (a) SHORT TITLE.—This title may be cited as the
20 “FAFSA Simplification Act”.

21 (b) GENERAL EFFECTIVE DATE.—Except as other-
22 wise expressly provided, this Act, and the amendments
23 made by this title to the Higher Education Act of 1965
24 (20 U.S.C. 1001 et seq.), shall take effect on July 1, 2023,
25 and shall apply with respect to award year 2023–2024 and
26 each subsequent award year, as determined under the