

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—113th Cong., 2d Sess.

H. R. 1232

To amend titles 40, 41, and 44, United States Code, to eliminate duplication and waste in information technology acquisition and management.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mr. CARPER (for himself and Mr.
COBURN)

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Information
5 Technology Acquisition Reform Act”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

**TITLE I—MANAGEMENT OF INFORMATION TECHNOLOGY WITHIN
FEDERAL GOVERNMENT**

Sec. 101. CIO authority enhancements.

Sec. 102. Enhanced transparency and improved risk management in informa-
tion technology investments.

Sec. 103. Governmentwide software purchasing program.

TITLE II—PORTFOLIO REVIEW AND FEDERAL DATA CENTER
CONSOLIDATION INITIATIVE

Sec. 201. Portfolio review.

Sec. 202. Federal data center consolidation initiative.

1 **TITLE I—MANAGEMENT OF IN-**
2 **FORMATION TECHNOLOGY**
3 **WITHIN FEDERAL GOVERN-**
4 **MENT**

5 **SEC. 101. CIO AUTHORITY ENHANCEMENTS.**

6 (a) IN GENERAL.—Subchapter II of chapter 113 of
7 title 40, United States Code, is amended by adding at the
8 end the following:

9 **“§ 11319. Resources, planning, and portfolio manage-**
10 **ment**

11 “(a) DEFINITIONS.—In this section—

12 “(1) the term ‘covered agency’ means each
13 agency listed in section 901(b)(1) or 901(b)(2) of
14 title 31; and

15 “(2) the term ‘information technology’ has the
16 meaning given that term under capital planning
17 guidance issued by the Office of Management and
18 Budget.

19 “(b) ADDITIONAL AUTHORITIES FOR CIOS.—

20 “(1) PLANNING, PROGRAMMING, BUDGETING,
21 AND EXECUTION AUTHORITIES FOR CIOS.—

1 “(A) IN GENERAL.—The head of each cov-
2 ered agency and each agency listed in section
3 102 of title 5 shall ensure that the Chief Infor-
4 mation Officer of the agency has a significant
5 role in—

6 “(i) the decision processes for all an-
7 nual and multi-year planning, program-
8 ming, budgeting, and execution decisions,
9 related reporting requirements, and reports
10 related to information technology; and

11 “(ii) the management, governance and
12 oversight processes related to information
13 technology.

14 “(B) BUDGET FORMULATION.—

15 “(i) IN GENERAL.—The Director of
16 the Office of Management and Budget
17 shall require in the annual information
18 technology capital planning guidance of the
19 Office of Management and Budget that the
20 Chief Information Officer of each covered
21 agency—

22 “(I) approve the information
23 technology budget request of the cov-
24 ered agency;

1 “(II) as part of an approval
2 under subclause (I), certify that infor-
3 mation technology investments are
4 adequately implementing incremental
5 development, as defined in capital
6 planning guidance issued by the Of-
7 fice of Management and Budget; and

8 “(III) acting in conjunction with
9 the Chief Human Capital Officer of
10 the covered agency, review all posi-
11 tions with information technology re-
12 sponsibilities requested in the budget
13 request of the covered agency to en-
14 sure the positions meet the ongoing
15 requirements of the covered agency.

16 “(C) REVIEW.—

17 “(i) IN GENERAL.—A covered agency
18 and an agency listed in section 102 of title
19 5—

20 “(I) may not enter into a con-
21 tract or other agreement for informa-
22 tion technology or information tech-
23 nology services, unless the contract or
24 other agreement has been reviewed

1 and approved by the Chief Informa-
2 tion Officer of the agency;

3 “(II) may not request the re-
4 programming of any funds made
5 available for information technology
6 programs, unless the request has been
7 reviewed and approved by the Chief
8 Information Officer of the agency;
9 and

10 “(III) may use the governance
11 processes of the agency to approve
12 such a contract or other agreement if
13 the Chief Information Officer of the
14 agency is included as a full partici-
15 pant in the governance processes.

16 “(ii) DELEGATION.—

17 “(I) IN GENERAL.—Except as
18 provided in subclause (II), the duties
19 of a Chief Information Officer under
20 clause (i) are not delegable.

21 “(II) NON-MAJOR INFORMATION
22 TECHNOLOGY INVESTMENTS.—For a
23 contract or agreement for a non-major
24 information technology investment, as
25 defined in the annual information

1 technology capital planning guidance
2 of the Office of Management and
3 Budget, the Chief Information Officer
4 of a covered agency or an agency list-
5 ed in section 102 of title 5 may dele-
6 gate the approval of the contract or
7 agreement under clause (i) to an indi-
8 vidual who reports directly to the
9 Chief Information Officer.

10 “(2) PERSONNEL-RELATED AUTHORITY.—Not-
11 withstanding any other provision of law, for each
12 covered agency, the Chief Information Officer of the
13 covered agency shall approve the appointment of any
14 other employee with the title of Chief Information
15 Officer, or who functions in the capacity of a Chief
16 Information Officer, for any component organization
17 within the covered agency.”.

18 (b) TECHNICAL AND CONFORMING AMENDMENT.—
19 The table of sections for chapter 113 of title 40, United
20 States Code, is amended by inserting after the item relat-
21 ing to section 11318 the following:

“11319. Resources, planning, and portfolio management.”.

1 **SEC. 102. ENHANCED TRANSPARENCY AND IMPROVED RISK**
2 **MANAGEMENT IN INFORMATION TECH-**
3 **NOLOGY INVESTMENTS.**

4 (a) PUBLIC AVAILABILITY OF INFORMATION ABOUT
5 INFORMATION TECHNOLOGY INVESTMENTS.—Section
6 11302(c) of title 40, United States Code, is amended—

7 (1) by redesignating paragraphs (1) and (2) as
8 paragraphs (2) and (5), respectively;

9 (2) by inserting before paragraph (2), as so re-
10 designated, the following:

11 “(1) DEFINITIONS.—In this subsection—

12 “(A) the term ‘covered agency’ means an
13 agency listed in section 901(b)(1) or 901(b)(2)
14 of title 31; and

15 “(B) the term ‘major information tech-
16 nology investment’ means an investment within
17 a covered agency information technology invest-
18 ment portfolio that is designated by the covered
19 agency as major, in accordance with capital
20 planning guidance issued by the Director.”; and

21 (3) by inserting after paragraph (2), as so re-
22 designated, the following:

23 “(3) PUBLIC AVAILABILITY.—

24 “(A) IN GENERAL.—The Director shall
25 make available to the public the cost, schedule,
26 and performance data for each major informa-

1 tion technology investment, without regard to
2 whether the investments are for new informa-
3 tion technology acquisitions or for operations
4 and maintenance of existing information tech-
5 nology.

6 “(B) QUARTERLY REVIEW AND CERTIFI-
7 CATION.—

8 “(i) IN GENERAL.—For each major
9 information technology investment listed
10 under subparagraph (A), the Chief Infor-
11 mation Officer of the covered agency and
12 the program manager of the investment
13 within the covered agency shall, at least
14 once every quarter—

15 “(I) certify that the information
16 is current, accurate, and reflects the
17 risks associated with each listed in-
18 vestment; and

19 “(II) identify significant data
20 quality issues that affect the quality
21 of data made available under subpara-
22 graph (A).

23 “(ii) INCOMPLETE CERTIFICATIONS.—
24 The Director shall publicly identify covered

1 agencies with an incomplete certification
2 under clause (i)(I).

3 “(C) INVESTMENT EVALUATION BY AGEN-
4 CY CIO.—For each major information tech-
5 nology investment listed under subparagraph
6 (A), the Chief Information Officer of the cov-
7 ered agency shall—

8 “(i) categorize the investment accord-
9 ing to level of risk;

10 “(ii) categorize the level of risk of the
11 investment at a risk rating that is not
12 lower than the higher of the cost rating
13 and schedule risk rating of the investment,
14 as determined in accordance with guidance
15 issued by the Director; and

16 “(iii) categorize the level of risk as
17 not lower than medium risk for any invest-
18 ment determined by the Chief Information
19 Officer and program manager to not em-
20 ploy incremental development, as deter-
21 mined in accordance with capital planning
22 guidance issued by the Director.

23 “(D) CONTINUOUS AVAILABILITY.—The
24 information required under subparagraph (A),

1 in its most updated form, shall be publicly
2 available at all times.

3 “(E) WAIVER OR LIMITATION AUTHOR-
4 ITY.—The applicability of subparagraph (A)
5 may be waived or the extent of the information
6 may be limited by the Director, if the Director
7 determines that such a waiver or limitation is
8 in the national security interests of the United
9 States.

10 “(4) RISK MANAGEMENT.—For each major in-
11 formation technology investment listed under para-
12 graph (3)(A) that receives a high risk rating, as de-
13 scribed in paragraph (3)(C), for 4 consecutive quar-
14 ters—

15 “(A) the Administrator of the Office of
16 Electronic Government, in conjunction with the
17 Chief Information Officer of the covered agency
18 and the program manager of the investment
19 within the covered agency, shall conduct a re-
20 view of the investment that shall identify—

21 “(i) the root causes of the high level
22 of risk of the investment;

23 “(ii) the extent to which these causes
24 can be addressed; and

25 “(iii) the probability of future success;

1 “(B) the Administrator of the Office of
2 Electronic Government shall communicate the
3 results of the review under subparagraph (A)
4 to—

5 “(i) the Committee on Homeland Se-
6 curity and Governmental Affairs and the
7 Committee on Appropriations of the Sen-
8 ate;

9 “(ii) the Committee on Oversight and
10 Government Reform and the Committee on
11 Appropriations of the House of Represent-
12 atives; and

13 “(iii) upon a request by any com-
14 mittee of Congress, to that committee; and

15 “(C) if, on the date that is 1 year after the
16 date of completion of the review required under
17 subparagraph (A), the investment is rated as
18 high risk under paragraph (3)(C), the Director
19 shall deny any request for additional develop-
20 ment, modernization, or enhancement funding
21 for the investment until the date on which the
22 Chief Information Officer of the covered agency
23 certifies that—

1 “(i) the root causes of the high level
2 of risk of the investment have been ad-
3 dressed; and

4 “(ii) there is sufficient capability to
5 deliver the remaining planned increments
6 within the planned cost and schedule.”.

7 (b) **ADDITIONAL REPORT REQUIREMENTS.**—Para-
8 graph (5) of section 11302(c) of such title, as redesignated
9 by subsection (a), is amended by adding at the end the
10 following: “The report shall include an analysis of covered
11 agency trends reflected in the performance risk informa-
12 tion required in paragraph (3).”.

13 (c) **SUNSET.**—Effective on the date that is 5 years
14 after the date of enactment of this Act, section 11302(c)
15 of title 40, United States Code, is amended—

16 (1) by striking paragraphs (1), (3), and (4);

17 (2) by redesignating paragraphs (2) and (5) as
18 paragraphs (1) and (2), respectively; and

19 (3) in paragraph (2), as so redesignated, by
20 striking the last sentence.

21 **SEC. 103. GOVERNMENTWIDE SOFTWARE PURCHASING**
22 **PROGRAM.**

23 (a) **IN GENERAL.**—The Administrator of General
24 Services, in collaboration with the Secretary of Defense,
25 shall identify and develop a strategic sourcing initiative

1 to enhance Governmentwide acquisition, shared use, and
2 dissemination of software, as well as compliance with end
3 user license agreements.

4 (b) GOVERNMENTWIDE USER LICENSE AGREE-
5 MENT.—The Administrator, in developing the initiative
6 under subsection (a), shall allow for the purchase of a li-
7 cense agreement that is available for use by all Executive
8 agencies (as defined in section 105 of title 5, United
9 States Code) as one user to the maximum extent prac-
10 ticable and as appropriate.

11 **TITLE II—PORTFOLIO REVIEW**
12 **AND FEDERAL DATA CENTER**
13 **CONSOLIDATION INITIATIVE**

14 **SEC. 201. PORTFOLIO REVIEW.**

15 (a) IN GENERAL.—Section 11319 of title 40, United
16 States Code, as added by section 101, is amended by add-
17 ing at the end the following:

18 “(c) INFORMATION TECHNOLOGY PORTFOLIO, PRO-
19 GRAM, AND RESOURCE REVIEWS.—

20 “(1) PROCESS.—The Director of the Office of
21 Management and Budget shall implement a process
22 to assist covered agencies in reviewing their portfolio
23 of information technology investments to identify or
24 develop—

1 “(A) ways to increase the efficiency and ef-
2 fectiveness of the information technology invest-
3 ments of the covered agency;

4 “(B) opportunities to consolidate the ac-
5 quisition and management of information tech-
6 nology services, and increase the use of shared-
7 service delivery models;

8 “(C) potential duplication and waste, in-
9 cluding unnecessary or duplicative software li-
10 censes;

11 “(D) potential cost savings, including cost
12 savings and cost avoidance opportunities related
13 to software licenses of the covered agency;

14 “(E) plans for actions to optimize the in-
15 formation technology portfolio, programs, and
16 resources of the covered agency;

17 “(F) ways to better align the information
18 technology portfolio, programs, and financial re-
19 sources of the covered agency to the multi-year
20 funding profiles and strategic plans, when such
21 plans are required by Congress;

22 “(G) a multi-year strategy to identify and
23 reduce duplication and waste within the infor-
24 mation technology portfolio of the covered agen-
25 cy, including component-level investments, and

1 projected cost savings and avoidances resulting
2 therefrom; and

3 “(H) any other goals that the Director
4 may establish.

5 “(2) METRICS AND PERFORMANCE INDICA-
6 TORS.—The Director of the Office of Management
7 and Budget shall develop standardized cost savings
8 and cost avoidance metrics and performance indica-
9 tors, which shall be used by agencies for the pur-
10 poses of paragraph (1).

11 “(3) ANNUAL REVIEW.—In accordance with the
12 process implemented under paragraph (1), the Chief
13 Information Officer of each covered agency, in con-
14 junction with the Chief Operating Officer or Deputy
15 Secretary (or equivalent) of the covered agency and
16 Administrator of the Office of Electronic Govern-
17 ment, shall conduct an annual review of the informa-
18 tion technology portfolio of the covered agency.

19 “(4) QUARTERLY REPORTS.—

20 “(A) IN GENERAL.—The Administrator of
21 the Office of Electronic Government shall sub-
22 mit a quarterly report on the cost savings and
23 reductions in duplicative information technology
24 investments identified through the review re-
25 quired by paragraph (3) to—

1 “(i) the Committee on Homeland Se-
2 curity and Governmental Affairs and the
3 Committee on Appropriations of the Sen-
4 ate;

5 “(ii) the Committee on Oversight and
6 Government Reform and the Committee on
7 Appropriations of the House of Represent-
8 atives; and

9 “(iii) upon a request by any com-
10 mittee of Congress, to that committee.

11 “(B) INCLUSION IN OTHER REPORTS.—
12 The reports required under subparagraph (A)
13 may be included as part of another report sub-
14 mitted to the committees of Congress described
15 in clauses (i), (ii), and (iii) of subparagraph
16 (A).”.

17 (b) SUNSET.—Effective on the date that is 5 years
18 after the date of enactment of this Act, section 11319 of
19 title 40, United States Code, is amended by striking sub-
20 section (c).

21 **SEC. 202. FEDERAL DATA CENTER CONSOLIDATION INITIA-**
22 **TIVE.**

23 (a) DEFINITIONS.—In this section:

24 (1) ADMINISTRATOR.—The term “Adminis-
25 trator” means the Administrator for the Office of E-

1 Government and Information Technology within the
2 Office of Management and Budget.

3 (2) COVERED AGENCY.—The term “covered
4 agency” means the following (including all associ-
5 ated components of the agency):

6 (A) Department of Agriculture;

7 (B) Department of Commerce;

8 (C) Department of Defense;

9 (D) Department of Education;

10 (E) Department of Energy;

11 (F) Department of Health and Human
12 Services;

13 (G) Department of Homeland Security;

14 (H) Department of Housing and Urban
15 Development;

16 (I) Department of the Interior;

17 (J) Department of Justice;

18 (K) Department of Labor;

19 (L) Department of State;

20 (M) Department of Transportation;

21 (N) Department of Treasury;

22 (O) Department of Veterans Affairs;

23 (P) Environmental Protection Agency;

24 (Q) General Services Administration;

1 (R) National Aeronautics and Space Ad-
2 ministration;
3 (S) National Science Foundation;
4 (T) Nuclear Regulatory Commission;
5 (U) Office of Personnel Management;
6 (V) Small Business Administration;
7 (W) Social Security Administration; and
8 (X) United States Agency for International
9 Development.

10 (3) FDCCI.—The term “FDCCI” means the
11 Federal Data Center Consolidation Initiative de-
12 scribed in the Office of Management and Budget
13 Memorandum on the Federal Data Center Consoli-
14 dation Initiative, dated February 26, 2010, or any
15 successor thereto.

16 (4) GOVERNMENT-WIDE DATA CENTER CON-
17 SOLIDATION AND OPTIMIZATION METRICS.—The
18 term “Government-wide data center consolidation
19 and optimization metrics” means the metrics estab-
20 lished by the Administrator under subsection
21 (b)(2)(G).

22 (b) FEDERAL DATA CENTER CONSOLIDATION IN-
23 VENTORIES AND STRATEGIES.—

24 (1) IN GENERAL.—

1 marks the agency can achieve by spe-
2 cific dates;

3 (III) year-by-year calculations of
4 investment and cost savings for the
5 period beginning on the date of enact-
6 ment of this Act and ending on the
7 date described in subsection (e), bro-
8 ken down by each year, including a
9 description of any initial costs for
10 data center consolidation and optimi-
11 zation and life cycle cost savings and
12 other improvements, with an emphasis
13 on—

14 (aa) meeting the Govern-
15 ment-wide data center consolida-
16 tion and optimization metrics;
17 and

18 (bb) demonstrating the
19 amount of agency-specific cost
20 savings each fiscal year achieved
21 through the FDCCI; and

22 (IV) any additional information
23 required by the Administrator.

24 (B) USE OF OTHER REPORTING STRUC-
25 TURES.—The Administrator may require a cov-

1 ered agency to include the information required
2 to be submitted under this subsection through
3 reporting structures determined by the Admin-
4 istrator to be appropriate.

5 (C) STATEMENT.—Each year, beginning in
6 the first fiscal year after the date of enactment
7 of this Act and each fiscal year thereafter, the
8 head of each covered agency, acting through the
9 Chief Information Officer of the agency, shall—

10 (i)(I) submit a statement to the Ad-
11 ministrator stating whether the agency has
12 complied with the requirements of this sec-
13 tion; and

14 (II) make the statement submitted
15 under subclause (I) publically available;
16 and

17 (ii) if the agency has not complied
18 with the requirements of this section, sub-
19 mit a statement to the Administrator ex-
20 plaining the reasons for not complying
21 with such requirements.

22 (D) AGENCY IMPLEMENTATION OF STRAT-
23 EGIES.—Each covered agency, under the direc-
24 tion of the Chief Information Officer of the
25 agency, shall—

1 (i) implement the strategy required
2 under subparagraph (A)(ii); and

3 (ii) provide updates to the Adminis-
4 trator, on a quarterly basis, of —

5 (I) the completion of activities by
6 the agency under the FDCCI;

7 (II) any progress of the agency
8 towards meeting the Government-wide
9 data center consolidation and optimi-
10 zation metrics; and

11 (III) the actual cost savings and
12 other improvements realized through
13 the implementation of the strategy of
14 the agency.

15 (E) RULE OF CONSTRUCTION.—Nothing in
16 this section shall be construed to limit the re-
17 porting of information by a covered agency to
18 the Administrator, the Director of the Office of
19 Management and Budget, or Congress.

20 (2) ADMINISTRATOR RESPONSIBILITIES.—The
21 Administrator shall—

22 (A) establish the deadline, on an annual
23 basis, for covered agencies to submit informa-
24 tion under this section;

1 (B) establish a list of requirements that
2 the covered agencies must meet to be consid-
3 ered in compliance with paragraph (1);

4 (C) ensure that information relating to
5 agency progress towards meeting the Govern-
6 ment-wide data center consolidation and optimi-
7 zation metrics is made available in a timely
8 manner to the general public;

9 (D) review the inventories and strategies
10 submitted under paragraph (1) to determine
11 whether they are comprehensive and complete;

12 (E) monitor the implementation of the
13 data center strategy of each covered agency
14 that is required under paragraph (1)(A)(ii);

15 (F) update, on an annual basis, the cumu-
16 lative cost savings realized through the imple-
17 mentation of the FDCCI; and

18 (G) establish metrics applicable to the con-
19 solidation and optimization of data centers Gov-
20 ernment-wide, including metrics with respect
21 to—

22 (i) costs;

23 (ii) efficiencies, including at least
24 server efficiency; and

1 (iii) any other metrics the Adminis-
2 trator establishes under this subparagraph.

3 (3) COST SAVING GOAL AND UPDATES FOR CON-
4 GRESS.—

5 (A) IN GENERAL.—Not later than 1 year
6 after the date of enactment of this Act, the Ad-
7 ministrator shall develop, and make publically
8 available, a goal, broken down by year, for the
9 amount of planned cost savings and optimiza-
10 tion improvements achieved through the FDCCI
11 during the period beginning on the date of en-
12 actment of this Act and ending on the date de-
13 scribed in subsection (e).

14 (B) ANNUAL UPDATE.—

15 (i) IN GENERAL.—Not later than 1
16 year after the date on which the goal de-
17 scribed in subparagraph (A) is made pub-
18 lically available, and each year thereafter,
19 the Administrator shall aggregate the re-
20 ported cost savings of each covered agency
21 and optimization improvements achieved to
22 date through the FDCCI and compare the
23 savings to the projected cost savings and
24 optimization improvements developed
25 under subparagraph (A).

1 (ii) UPDATE FOR CONGRESS.—The
2 goal required to be developed under sub-
3 paragraph (A) shall be submitted to Con-
4 gress and shall be accompanied by a state-
5 ment describing—

6 (I) whether each covered agency
7 has in fact submitted a comprehensive
8 asset inventory, including an assess-
9 ment broken down by agency, which
10 shall include the specific numbers, uti-
11 lization, and efficiency level of data
12 centers; and

13 (II) whether each covered agency
14 has submitted a comprehensive con-
15 solidation strategy with the key ele-
16 ments described in paragraph
17 (1)(A)(ii).

18 (4) GAO REVIEW.—

19 (A) IN GENERAL.—Not later than 1 year
20 after the date of enactment of this Act, and
21 each year thereafter, the Comptroller General of
22 the United States shall review and verify the
23 quality and completeness of the asset inventory
24 and strategy of each covered agency required
25 under paragraph (1)(A).

1 (B) REPORT.—The Comptroller General of
2 the United States shall, on an annual basis,
3 publish a report on each review conducted
4 under subparagraph (A).

5 (c) ENSURING CYBERSECURITY STANDARDS FOR
6 DATA CENTER CONSOLIDATION AND CLOUD COM-
7 PUTING.—

8 (1) IN GENERAL.—In implementing a data cen-
9 ter consolidation and optimization strategy under
10 this section, a covered agency shall do so in a man-
11 ner that is consistent with Federal guidelines on
12 cloud computing security, including—

13 (A) applicable provisions found within the
14 Federal Risk and Authorization Management
15 Program (FedRAMP); and

16 (B) guidance published by the National In-
17 stitute of Standards and Technology.

18 (2) RULE OF CONSTRUCTION.—Nothing in this
19 section shall be construed to limit the ability of the
20 Director of the Office of Management and Budget to
21 update or modify the Federal guidelines on cloud
22 computing security.

23 (d) WAIVER OF DISCLOSURE REQUIREMENTS.—The
24 Director of National Intelligence may waive the applica-
25 bility to any element (or component of an element) of the

1 intelligence community of any provision of this section if
2 the Director of National Intelligence determines that such
3 waiver is in the interest of national security. Not later
4 than 30 days after making a waiver under this subsection,
5 the Director of National Intelligence shall submit to the
6 Committee on Homeland Security and Governmental Af-
7 fairs and the Select Committee on Intelligence of the Sen-
8 ate and the Committee on Oversight and Government Re-
9 form and the Permanent Select Committee on Intelligence
10 of the House of Representatives a statement describing
11 the waiver and the reasons for the waiver.

12 (e) SUNSET.—This section is repealed effective on
13 October 1, 2018.