

firms is sufficient to ensure full and open competition; and

(C) the total installed price to the Federal Government.

(4) After the head of the agency has rendered a decision regarding a recommendation of the ombudsman, the ombudsman shall be responsible for communicating the decision to all appropriate policy, design, planning, procurement, and notifying personnel in the agency. The ombudsman shall conduct appropriate monitoring as required to ensure the decision is implemented, and may submit further recommendations, as needed. The head of the agency's decision on the ombudsman's recommendations, and any supporting documentation, shall be provided to affected parties and made available to the public in a timely manner.

(5) Nothing in this section shall be construed to supersede the bid protest process established under subchapter V of chapter 35 of title 31.

(Pub. L. 94-168, §14, as added and amended Pub. L. 104-289, §§4(a), 5, Oct. 11, 1996, 110 Stat. 3412, 3414; Pub. L. 108-423, §6, Nov. 30, 2004, 118 Stat. 2402.)

REFERENCES IN TEXT

The effective date of the Savings in Construction Act of 1996, referred to in subsecs. (b)(1) and (c)(2), is 90 days after Oct. 11, 1996. See Effective Date of 1996 Amendment; Savings Provision note set out under section 205c of this title.

CODIFICATION

In subsec. (a), "division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41" substituted for "title III of the Federal Prop-

erty and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)", "section 3307(d) of title 41" substituted for "section 314B(c) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 264b(c))", "section 3307(b) to (d) of title 41" substituted for "section 314B of the Federal Property and Administrative Services Act of 1949", and "or 3307(b) to (d)" substituted for "or 314B" on authority of Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

AMENDMENTS

2004—Subsec. (e). Pub. L. 108-423 struck out heading and text of subsec. (e). Text read as follows: "The provisions contained in subsections (b) and (c) of this section shall expire 10 years from the effective date of the Savings in Construction Act of 1996."

1996—Pub. L. 104-289, §5, added subsec. (f).

EFFECTIVE DATE; SAVINGS PROVISION

Section effective 90 days after Oct. 11, 1996, and inapplicable to contracts awarded and solicitations issued on or before that date, unless head of Federal agency makes written determination that it would be in public interest to apply one or more provisions of Pub. L. 104-289 to these existing contracts or solicitations, see section 6(b) of Pub. L. 104-289, set out as an Effective Date of 1996 Amendment; Savings Provision note under section 205c of this title.

SUBCHAPTER III—STANDARD GAUGE FOR IRON AND STEEL

§ 206. Standard gauge for sheet and plate iron and steel

For the purpose of securing uniformity the following is established as the only standard gauge for sheet and plate iron and steel in the United States of America, namely:

| Number of gauge | Approximate thickness in fractions of an inch | Approximate thickness in decimal parts of an inch | Approximate thickness in millimeters | Weight per square foot in ounces avoirdupois | Weight per square foot in pounds avoirdupois | Weight per square foot in kilograms | Weight per square meter in kilograms | Weight per square meter in pounds avoirdupois |
|-----------------|---|---|--------------------------------------|--|--|-------------------------------------|--------------------------------------|---|
| 000000 | 1/2 | .5 | 12.7 | 320 | 20.00 | 9.072 | 97.65 | 215.28 |
| 000000 | 15/32 | .46875 | 11.90625 | 300 | 18.75 | 8.505 | 91.55 | 201.82 |
| 00000 | 7/16 | .4375 | 11.1125 | 280 | 17.50 | 7.983 | 85.44 | 188.37 |
| 0000 | 13/32 | .40625 | 10.31875 | 260 | 16.25 | 7.371 | 79.33 | 174.91 |
| 000 | 3/8 | .375 | 9.525 | 240 | 15 | 6.804 | 73.24 | 161.46 |
| 00 | 11/32 | .34375 | 8.73125 | 220 | 13.75 | 6.287 | 67.13 | 148.00 |
| 0 | 5/16 | .3125 | 7.9375 | 200 | 12.50 | 5.67 | 61.03 | 134.55 |
| 1 | 9/32 | .28125 | 7.14375 | 180 | 11.25 | 5.103 | 54.93 | 121.09 |
| 2 | 17/64 | .265625 | 6.746875 | 170 | 10.625 | 4.819 | 51.98 | 114.37 |
| 3 | 1/4 | .25 | 6.35 | 160 | 10 | 4.536 | 48.82 | 107.64 |
| 4 | 15/64 | .234375 | 5.953125 | 150 | 9.375 | 4.252 | 45.77 | 100.91 |
| 5 | 7/32 | .21875 | 5.55625 | 140 | 8.75 | 3.969 | 42.72 | 94.18 |
| 6 | 13/64 | .203125 | 5.159375 | 130 | 8.125 | 3.685 | 39.67 | 87.45 |
| 7 | 3/16 | .1875 | 4.7625 | 120 | 7.5 | 3.402 | 36.62 | 80.72 |
| 8 | 11/64 | .171875 | 4.365625 | 110 | 6.875 | 3.118 | 33.57 | 74.00 |
| 9 | 5/32 | .15625 | 3.96875 | 100 | 6.25 | 2.835 | 30.52 | 67.27 |
| 10 | 9/64 | .140625 | 3.571875 | 90 | 5.625 | 2.552 | 27.46 | 60.55 |
| 11 | 1/8 | .125 | 3.175 | 80 | 5 | 2.268 | 24.41 | 53.82 |
| 12 | 7/64 | .109375 | 2.778125 | 70 | 4.375 | 1.984 | 21.36 | 47.09 |
| 13 | 3/32 | .09375 | 2.38125 | 60 | 3.75 | 1.701 | 18.31 | 40.36 |
| 14 | 5/64 | .078125 | 1.984375 | 50 | 3.125 | 1.417 | 15.26 | 33.64 |
| 15 | 9/128 | .0703125 | 1.7859375 | 45 | 2.8125 | 1.276 | 13.73 | 30.27 |
| 16 | 1/16 | .0625 | 1.5875 | 40 | 2.5 | 1.134 | 12.21 | 26.91 |
| 17 | 9/160 | .05625 | 1.42875 | 36 | 2.25 | 1.021 | 10.99 | 24.22 |
| 18 | 1/20 | .05 | 1.27 | 32 | 2 | .9072 | 9.765 | 21.53 |
| 19 | 7/160 | .04375 | 1.11125 | 28 | 1.75 | .7938 | 8.544 | 18.84 |
| 20 | 3/80 | .0375 | .9525 | 24 | 1.50 | .6804 | 7.324 | 16.15 |
| 21 | 11/320 | .034375 | .873125 | 22 | 1.375 | .6237 | 6.713 | 14.80 |
| 22 | 1/32 | .03125 | .793750 | 20 | 1.25 | .567 | 6.103 | 13.46 |
| 23 | 9/320 | .028125 | .714375 | 18 | 1.125 | .5103 | 5.493 | 12.11 |
| 24 | 1/40 | .025 | .635 | 16 | 1 | .4536 | 4.882 | 10.76 |
| 25 | 7/320 | .021875 | .555625 | 14 | .875 | .3969 | 4.272 | 9.42 |
| 26 | 3/160 | .01875 | .47625 | 12 | .75 | .3402 | 3.662 | 8.07 |
| 27 | 11/640 | .0171875 | .4365625 | 11 | .6875 | .3119 | 3.357 | 7.40 |
| 28 | 1/64 | .015625 | .396875 | 10 | .625 | .2835 | 3.052 | 6.73 |
| 29 | 9/640 | .0140625 | .3571875 | 9 | .5625 | .2551 | 2.746 | 6.05 |
| 30 | 1/80 | .0125 | .3175 | 8 | .5 | .2268 | 2.441 | 5.38 |
| 31 | 7/640 | .0109375 | .2778125 | 7 | .4375 | .1984 | 2.136 | 4.71 |
| 32 | 13/1280 | .01015625 | .25796875 | 6½ | .40625 | .1843 | 1.983 | 4.37 |
| 33 | 3/320 | .009375 | .238125 | 6 | .375 | .1701 | 1.831 | 4.04 |
| 34 | 11/1280 | .00859375 | .21828125 | 5½ | .34375 | .1559 | 1.678 | 3.70 |
| 35 | 5/640 | .0078125 | .1984375 | 5 | .3125 | .1417 | 1.526 | 3.36 |
| 36 | 9/1280 | .00703125 | .17859375 | 4½ | .28125 | .1276 | 1.373 | 3.03 |
| 37 | 17/2560 | .006640625 | .168671875 | 4¼ | .265625 | .1205 | 1.297 | 2.87 |
| 38 | 1/160 | .00625 | .15875 | 4 | .25 | .1134 | 1.221 | 2.69 |

The same and no other shall be used in determining duties and taxes levied by the United States of America on sheet and plate iron and steel. But this subchapter shall not be construed to increase duties upon any articles which may be imported.

(Mar. 3, 1893, ch. 221, §1, 27 Stat. 746.)

REFERENCES IN TEXT

This subchapter, referred to in text, was in the original "this act", meaning act Mar. 3, 1893, ch. 221, 27 Stat. 746, which is classified to sections 206 to 208 of this title.

§ 207. Preparation of standards by Secretary of Commerce

The Secretary of Commerce is authorized and required to prepare suitable standards in accordance with section 206 of this title.

(Mar. 3, 1893, ch. 221, §2, 27 Stat. 746; Feb. 14, 1903, ch. 552, §10, 32 Stat. 829; Mar. 4, 1913, ch. 141, §1, 37 Stat. 736.)

CHANGE OF NAME

Act Mar. 4, 1913, created Department of Labor, and renamed Department of Commerce and Labor as Department of Commerce.

TRANSFER OF FUNCTIONS

Act Feb. 14, 1903, transferred National Bureau of Standards from Treasury Department to Department of Commerce and Labor.

§ 208. Variations

In the practical use and application of the standard gauge established¹ in section 206 of this title a variation of 2½ percent, either way may be allowed.

(Mar. 3, 1893, ch. 221, §3, 27 Stat. 746.)

SUBCHAPTER IV—SCREW THREADS

§§ 208a to 212. Repealed. Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 644, 646

Sections, acts July 18, 1918, ch. 156, §§1-5, 40 Stat. 912, 913; Mar. 3, 1919, ch. 96, 40 Stat. 1291; Apr. 16, 1926, ch. 148, 44 Stat. 297, created Commission for the Standardization of Screw Threads and provided for composition of Commission, its duties, and pay.

SUBCHAPTER V—STANDARDS OF ELECTRICITY

§§ 221, 222. Repealed. July 21, 1950, ch. 484, §13, 64 Stat. 370

Sections, act July 12, 1894, ch. 131, §§1, 2, 28 Stat. 101, 102, related to units of electrical measure.

§§ 223, 224. Repealed. Pub. L. 110-69, title III, § 3013(c)(2), Aug. 9, 2007, 121 Stat. 598

Section 223, acts July 21, 1950, ch. 484, §§1-11, 64 Stat. 369; Pub. L. 88-165, Nov. 4, 1963, 77 Stat. 299, related to units of electrical measure.

Section 224, act July 21, 1950, ch. 484, §12, 64 Stat. 370, related to establishment of values of primary electric and photometric units in absolute measure and legal values for those units.

¹ So in original. Probably should be "established".

SUBCHAPTER VI—STANDARD BARRELS

§ 231. Standard barrel for apples; steel barrels

The standard barrel for apples shall be of the following dimensions when measured without distention of its parts: Length of stave, twenty-eight and one-half inches; diameter of head, seventeen and one-eighth inches; distance between heads, twenty-six inches; circumference of bulge, sixty-four inches outside measurement, representing as nearly as possible seven thousand and fifty-six cubic inches: *Provided*, That steel barrels containing the interior dimensions provided for in this section shall be construed as a compliance therewith.

(Aug. 3, 1912, ch. 273, §1, 37 Stat. 250.)

§ 232. Barrels below standard; marking

All barrels packed with apples shall be deemed to be below standard if the barrel bears any statement, design, or device indicating that the barrel is a standard barrel of apples, as defined in section 231 of this title, and the capacity of the barrel is less than the capacity prescribed by said section, unless the barrel shall be plainly marked on end and side with words or figures showing the fractional relation which the actual capacity of the barrel bears to the capacity prescribed by said section. The marking required by this section shall be in block letters of size not less than seventy-two point (one-inch) gothic.

(Aug. 3, 1912, ch. 273, §4, 37 Stat. 251.)

§ 233. Penalty for violations

Any person, firm, or corporation, or association who shall knowingly pack or cause to be packed apples in barrels, or who shall knowingly sell or offer for sale such barrels in violation of the provisions of this Act shall be liable to a penalty of \$1 and costs for each such barrel so sold or offered for sale, to be recovered at the suit of the United States in any court of the United States having jurisdiction.

(Aug. 3, 1912, ch. 273, §6, 37 Stat. 251.)

REFERENCES IN TEXT

This Act, referred to in text, is act Aug. 3, 1912, ch. 273, §§1-6, 37 Stat. 250, 251, which is classified to sections 231 to 233 of this title and to sections 20 to 23 of Title 21, Food and Drugs.

CODIFICATION

This section is also set out as section 23 of Title 21, Food and Drugs.

§ 234. Standard barrel for fruits or other dry commodity

The standard barrel for fruits, vegetables, and other dry commodities other than cranberries shall be of the following dimensions when measured without distention of its parts: Length of stave, twenty-eight and one-half inches; diameter of heads, seventeen and one-eighth inches; distance between heads, twenty-six inches; circumference of bulge, sixty-four inches, outside measurement; and the thickness of staves not greater than four-tenths of an inch: *Provided*, That any barrel of a different form having a capacity of seven thousand and fifty-six cubic