

TITLE 41—PUBLIC CONTRACTS

This title was enacted by Pub. L. 111–350, § 3, Jan. 4, 2011, 124 Stat. 3677

Subtitle		Sec.
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II.	OTHER ADVERTISING AND CONTRACT PROVISIONS	6101
III.	CONTRACT DISPUTES	7101
IV.	MISCELLANEOUS	8101

Disposition Table
(Showing Disposition of Former Sections of Title 41)

<i>Title 41 Former Sections</i>	<i>Title 41 New Sections</i>
1 to 4a	(Previously repealed)
5, 5a	6101
6	(Previously repealed)
6a(a)	6102
6a(b) to (e)	(Previously repealed)
6a(f)	6102
6a(g)	(Previously repealed)
6a(h)	6102
6a(i)	(Previously repealed)
6a(j)	6102
6a(k) to (n)	(Previously repealed)
6a(o)	(Omitted)
6a(p)	(Previously repealed)
6a-1	6102
6a-2	T. 2 § 1816b
6a-3, 6a-4	6102
6b(a), (b)	Rep.
6b(c)	T. 25 § 903g
6b(d)	6102
6b(e)	Rep.
6c to 6jj	(Previously repealed)
6kk	Rep.
6ll	(Previously repealed)
6mm	(Previously transferred to T. 41 § 6b(d) prior to repeal)
7 to 7d	(Previously repealed)
8	6103
9	(Previously repealed)
10	Rep.
10a	8302
10b	8303
10b-1	(Previously omitted)
10b-2	8304
10b-3	8305
10c	8301
10d	8303
11, 11a, 12, 13	6301 to 6304
13a	(Previously repealed)
14	6301
15	6305
16	(Previously repealed)
16a to 16d	Rep.
17 to 21	(Previously repealed)
22 to 24	6306 to 6308
24a	Rep.
25 to 27	(Previously repealed)
28 to 34	Rep.
35 (matter before subsec. (a) less words related to definition of "agency of the United States")	6502
35 (matter before subsec. (a) related to definition of "agency of the United States")	6501
35(a) to (d)	6502
36	6503
37	6504

Disposition Table—Continued
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<i>Title 41 Former Sections</i>	<i>Title 41 New Sections</i>
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42	6511
43	6505
43a(a)	6509
43a(b) (1st sentence)	6507
43a(b) (last sentence), (c)	6509
43b	6510
44	Rep.
45	6502
46 to 48	8502 to 8504
48a	8505
48b	8501
48c	8506
49, 50	6309
51	Rep.
52	8701
53	8702
54	8707
55	8706
56	8705
57	8703
58	8704
101, 102(a)	Rep.
102(b)	(Previously repealed)
103	Rep.
104(a)	(Previously repealed)
104(b) to 115	Rep.
116	(Previously repealed)
117, 118(a)	Rep.
118(b)	(Previously repealed)
118(c) to 125	Rep.
151 to 162	(Previously repealed)
201 to 205	(Previously transferred to T. 40 §§ 471 to 475 prior to repeal)
211 to 213	(Previously transferred to T. 40 §§ 751 to 753 prior to repeal)
214	(Previously transferred to T. 44 § 391 prior to repeal)
215	(Previously transferred to T. 5 § 630c prior to repeal)
216	(Previously transferred to T. 5 § 630d and T. 40 § 754 prior to repeal)
217	(Previously transferred to T. 5 § 630e and T. 40 § 755 prior to repeal)
218	(Previously transferred to T. 5 § 630f prior to repeal)
219	(Previously transferred to T. 5 § 630g and T. 40 § 756 prior to repeal)
231 to 237	(Previously transferred to T. 40 §§ 481 to 488 prior to repeal)
238	(Previously transferred to T. 5 § 630h and T. 40 § 758 prior to repeal)
239 to 240	(Previously transferred to T. 40 §§ 489 to 492 prior to repeal)
251	Rep.
251 note (Pub. L. 110–252, §§ 6102, 6103)	3509
251 note (Pub. L. 110–417, § 867)	4711
252(a)	3101
252(b)	3104
252(c)(1)	3106
252(c)(2)	3301
252a, 252b	3101

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<i>Title 41 Former Sections</i>	<i>Title 41 New Sections</i>
252c	4709
253(a)	3301
253(b)	3303
253(c) to (f)	3304
253(g)	3305
253(h)	3301
253(i)	3105
253(j)	3304
253a	3306
253a note (Pub. L. 108-136, § 1428)	3306
253b(a), (b)	3701
253b(c) to (f)	3702 to 3705
253b(g) (related to 41:253b(e)) ..	3704
253b(g) (related to 41:253b(f)) ..	3705
253b(h)	3706
253b(i)	3707
253b(j)	3308
253b(k), (l)	3708
253b(m)	4702
253c	3311
253d	4703
253e	(Previously repealed)
253f	3310
253g	4704
253h	4103
253h note (Pub. L. 103-355, § 1054(b))	4102
253h note (Pub. L. 106-65, § 804) ..	4104
253h note (Pub. L. 110-417, § 863(a)-(e))	3302
253i	4105
253j	4106
253k	4101
253l	3902
253l-1 to 253l-8	3904
253m	3309
254(a)	3901
254(b)	3905
254 note (Pub. L. 110-417, § 864(a), (b), (d), (e), (f)(2), (g))	3906
254a	4708
254b(a) to (g)	3502 to 3508
254b(h)	3501
254b note (Pub. L. 110-417, § 866)	4710
254b note (Pub. L. 110-417, § 868)	3501
254c	3903
254d	4706
255(a)	4501
255(b), (c)	4502
255(d) to (g)	4503 to 4506
256(a) to (d)	4303
256(e) to (k)	4304 to 4310
256(l)(1)	4301
256(l)(2)	4302
256(m)	4301
256a	4707
257	4701
258	(Previously repealed)
259(a)	151
259(b)	152
259(c)(1)	111
259(c)(2)	112
259(c)(3)	114
259(c)(4)	107
259(c)(5)	113
259(c)(6)	116
259(c)(7)	109
259(c)(8), (9)	108
259(c)(10)	115
259(c)(11)	103
259(c)(12)	110
259(c)(13)	102
259(c)(14)	105
259(d)	153
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260	3101
261	3102
262	4701
263	3103
264	3307
264 note (Pub. L. 103-355, § 8002) ..	3307

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<i>Title 41 Former Sections</i>	<i>Title 41 New Sections</i>
264a ("commercial item")	103
264a ("nondevelopmental item")	110
264a ("component")	105
264a ("commercial compo- nent")	102
264b	3307
265	4705
266	3105
266a	3901 note prec.
271 to 274	(Previously transferred to T. 40 §§ 511 to 514 prior to repeal)
281 to 291	(Previously transferred to T. 44 §§ 392 to 402 prior to repeal)
321 to 322	Rep.
351(a) (words before par. (1) re- lated to applicability)	6702
351(a) (words before par. (1) re- lated to required contract terms), (1) to (5)	6703
351(b)	6704
352	6705
353	6707
354(a)	6706
354(b)	6705
355	6707
356	6702
357	6701
358	6707
401, 402	(Previously repealed)
403(1)	133
403(2)	111
403(3)	112
403(4)	114
403(5)	132
403(6)	107
403(7)	113
403(8)	116
403(9)	109
403(10) ("item", "item of sup- ply")	108
403(10) ("supplies")	115
403(11)	134
403(12)	103
403(13)	110
403(14)	105
403(15)	102
403(16)	131
403(17)	1301
404(a)	1101
404(b)	1102
405(a) to (c)	1121
405(d), (e)	1122
405(f)	1121
405(g)	1122
405(h)(1)	1130
405(h)(2)	2305
405(i)	1125
405(j)	1126
405(k)	1131
405 note (Pub. L. 108-136, § 1431(b))	1129
405 note (Pub. L. 110-417, § 874(a))	2311
405a (1st sentence)	1121
405a (last sentence)	1123
405b	2304
405c(a)	2303
405c(b)	2303 note
405c(c)	2303
406	1701
407	(Previously repealed)
408	1121
409	(Previously repealed)
410	1101
411	1122
412(a)	2307
412(b)	2306
413	1124
414	1702
414a	1706
414b(a) to (c)	1311
414b(d), (e)	1312
415	(Previously repealed)
416	1708

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417a	1713
417b	2313
418	1705
418a	2302
418b	1707
419	1709
420	(Previously repealed)
421(a), (b)	1302
421(c) to (f)	1303
422(a) to (e)	1501
422(f) to (h)(1)	1502
422(h)(2) to (4)	1503
422(i)	Rep.
422(j) to (l)	1504 to 1506
423(a), (b)	2102
423(c) to (e)	2103 to 2105
423(f)	2101
423(g)	2106
423(h)	2107
424	(Previously repealed)
425	1304
426	2301
426a	(Previously repealed)
427	1901
428	1902
428a	1903
428a note (Pub. L. 108-136, § 1441)	1904
429	1905
430	1906
431(a), (b)	1907
431(c)	104
431a	1908
431a note (Pub. L. 108-375, § 807(c))	1908
432	1711
433	1703
433 notes (Pub. L. 108-136, §§ 1412(a), 1413)	1703
433 note (Pub. L. 108-136, § 1414)	1128
433a	1704
433a note (Pub. L. 110-417, § 869)	1704
434	2308
435	1127
436	2309
437	2310
438	7105
439	1710
440	2312
501 to 509	(Previously repealed)
601	7101
602, 603	7102
604, 605	7103
606	7104
607(a) to (e)	7105
607(f)	7106
607(g)	7107
608	7106
609(a)	7104
609(b) to (f)	7107
610	7105
611, 611 note (Pub. L. 102-572, § 907(a)(3))	7109
612	7108
613	Rep.
701 to 705	8102 to 8106
706, 707	8101

ENACTMENT OF TITLE 41, UNITED STATES CODE

Pub. L. 111-350, § 3, Jan. 4, 2011, 124 Stat. 3677, provided that: "Certain general and permanent laws of the United States, related to public contracts, are revised, codified, and enacted as title 41, United States Code, 'Public Contracts', as follows:"

PURPOSE; CONFORMITY WITH ORIGINAL INTENT

Pub. L. 111-350, § 2, Jan. 4, 2011, 124 Stat. 3677, provided that:

"(a) PURPOSE.—The purpose of this Act [see Tables for classification] is to enact certain laws relating to

public contracts as title 41, United States Code, 'Public Contracts'.

"(b) CONFORMITY WITH ORIGINAL INTENT.—In the codification of laws by this Act, the intent is to conform to the understood policy, intent, and purpose of Congress in the original enactments, with such amendments and corrections as will remove ambiguities, contradictions, and other imperfections, in accordance with section 205(c)(1) of House Resolution No. 988, 93d Congress, as enacted into law by Public Law 93-554 (2 U.S.C. 285b(1))."

TRANSITIONAL AND SAVINGS PROVISIONS

Pub. L. 111-350, § 6(a)–(e), Jan. 4, 2011, 124 Stat. 3854, provided that:

"(a) CUTOFF DATE.—This Act [see Tables for classification] replaces certain provisions of law enacted on or before December 31, 2008. If a law enacted after that date amends or repeals a provision replaced by this Act, that law is deemed to amend or repeal, as the case may be, the corresponding provision enacted by this Act. If a law enacted after that date is otherwise inconsistent with this Act, it supersedes this Act to the extent of the inconsistency.

"(b) ORIGINAL DATE OF ENACTMENT UNCHANGED.—For purposes of determining whether one provision of law supersedes another based on enactment later in time, the date of enactment of a provision enacted by this Act is deemed to be the date of enactment of the provision it replaced.

"(c) REFERENCES TO PROVISIONS REPLACED.—A reference to a provision of law replaced by this Act, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding provision enacted by this Act.

"(d) REGULATIONS, ORDERS, AND OTHER ADMINISTRATIVE ACTIONS.—A regulation, order, or other administrative action in effect under a provision of law replaced by this Act continues in effect under the corresponding provision enacted by this Act.

"(e) ACTIONS TAKEN AND OFFENSES COMMITTED.—An action taken or an offense committed under a provision of law replaced by this Act is deemed to have been taken or committed under the corresponding provision enacted by this Act."

REPEALS

Pub. L. 111-350, § 7(b), Jan. 4, 2011, 124 Stat. 3855, repealed specified laws, except for rights and duties that matured, penalties that were incurred, and proceedings that were begun before Jan. 4, 2011.

Pub. L. 111-350, § 7(a), Jan. 4, 2011, 124 Stat. 3855, provided that: "The repeal of a law by this Act [see Tables for classification] may not be construed as a legislative inference that the provision was or was not in effect before its repeal."

Subtitle I—Federal Procurement Policy

DIVISION A—GENERAL

Chapter	Sec.
1. Definitions	101

DIVISION B—OFFICE OF FEDERAL PROCUREMENT POLICY

11. Establishment of Office and Authority and Functions of Administrator	1101
12. Federal Acquisition Institute	1201.¹
13. Acquisition Councils	1301
15. Cost Accounting Standards	1501
17. Agency Responsibilities and Procedures	1701

¹ So in original. The period probably should not appear.