

1961, 75 Stat. 418, set out as a note under section 1938 of this Appendix.

§ 1941f. Disposition of unsold facilities; transfer to General Services Administration; lease of alcohol-butadiene facilities; advice of Attorney General; standby funds

(a) Upon the termination of the transfer period, the operating agency last designated by the President, shall, as promptly as possible consistent with sound operating procedures, take out of production and place in adequate standby condition the rubber-producing facilities which shall not have been sold. At any time after the termination of production, such facilities may be transferred without reimbursement or transfer of funds to the General Services Administration and administered in accordance with the provisions of sections 6, 7, and 8 of the National Industrial Reserve Act of 1948, as amended (62 Stat. 1227, 50 U.S.C. 456-458) [50 U.S.C. 455 to 457], or to such other agency as the President may designate for administration in such manner as he may direct. In such event (1) no such facility shall thereafter be operated as a rubber-producing facility for the account of, or by, the Government except pursuant to further Act of Congress; (2) no such facility, other than alcohol-butadiene facilities, shall be leased for operation as a rubber-producing facility at any time: *Provided*, That nothing contained in this Act [sections 1941 to 1941y of this Appendix] shall preclude the leasing of alcohol-butadiene facilities for purposes other than the manufacture of alcohol butadiene so long as such leases are in accordance with the provisions of section 8(a) or section 9(f) of this Act [subsection (a) of this section or section 1941g (f) of this Appendix]; and (3) no such facility shall be disposed of by sale within a period of three years from the termination of the transfer period, and in any subsequent lease or sale, the Government agency acting under authority of this section shall within a reasonable time and in no event less than sixty days prior to the lease or sale, request the advice of the Attorney General as to whether the proposed lease or sale would tend to create or maintain a situation inconsistent with the antitrust laws. The Attorney General shall give his advice within forty-five days of the receipt of such request. Upon the request of the Attorney General, the Government agency shall furnish, or cause to be furnished, such information as it may possess which the Attorney General determines to be appropriate or necessary to enable him to give the advice called for by this section.

(b) Whenever any transfer to any Government agency is made pursuant to this section, all unexpended funds budgeted as provided in section 9(e) [section 1941g(e) of this Appendix] for standby and maintenance in such condition shall also be transferred.

(Aug. 7, 1953, ch. 338, § 8, 67 Stat. 411.)

REFERENCES IN TEXT

Sections 7 and 8 of the National Industrial Reserve Act of 1948, referred to in subsec. (a), were classified to

sections 456 and 457 of Title 50, War and National Defense, and were omitted from the Code.

SALE OF LEASE OF CATALYST EQUIPMENT; TERMS AND CONDITIONS; SECURITY CLAUSE; PRICE; STANDBY CONDITION; AUTHORITY

Administration by Administrator of General Services of matters involving the Rubber Producing Facilities Disposal Commission, including the exercise of authority conferred upon the Commission by section 6 of Act Mar. 21, 1956, set out below, see Dissolution of Federal Facilities Corporation note set out under section 1938 of this Appendix.

Section 6 of act Mar. 21, 1956, ch. 89, 70 Stat. 53, provided that:

“(a) Notwithstanding any provision of the Rubber Producing Facilities Disposal Act of 1953, as amended [sections 1941 to 1941x of this Appendix], or of this Act [enacting section 1941y and provisions set out as notes under sections 1941r and 1941y of this Appendix], the Rubber Producing Facilities Disposal Commission may enter into contracts of sale and may from time to time enter into leases for all or any part of the catalyst manufacturing equipment now situated in Baltimore, Maryland, and generally described in the Commission’s brochure M-2 dated March 1954.

“(b) Except as provided in this paragraph, each such lease or contract may be made on such terms and conditions, including type of use and duration (up to fifteen years) of any lease, as the Commission deems advisable in the public interest. Before making such sale or lease, the Commission shall secure the advice of the Attorney General as to whether the proposed sale or lease would tend to create or maintain a situation inconsistent with the antitrust laws. Each such lease or contract of sale shall contain a national security clause, containing such terms and for such duration (ten years or less) as the Commission deems desirable in the public interest, and any such lease shall provide for the recapture of the equipment thereby leased and the termination of the lease, if the President determines that the national interest so requires.

“The price for any part or all of such equipment shall be an amount which the Commission determines to be the maximum amount obtainable in the public interest, but not less than fair value as determined by the Commission.

“(c) Any of such equipment not sold or leased under subsection (a) shall be placed and maintained in adequate standby condition pursuant to, and be otherwise subject to, the provisions of section 8 of the Rubber Producing Facilities Disposal Act of 1953 [this section] (other than the provision prohibiting leases).

“(d) All the powers and authority conferred by this section upon the Commission may, after the termination of the existence of the Commission, be exercised by such agency of the Government as the President may designate for the purpose, and for this purpose such successor agency may exercise all the authority conferred in the Rubber Producing Facilities Disposal Act of 1953 [sections 1941 to 1941y of this Appendix] upon the Commission.”

§ 1941g. Report of recommended disposal by Commission to Congress

(a) Contents and requirements

Not later than thirty days after the termination of the negotiating period provided in section 7 of this Act [section 1941e of this Appendix], and in no event later than January 31, 1955, the Commission shall prepare and submit to the Congress a report setting forth—

- (1) the steps taken to elicit proposals and the proposals which have been received;
- (2) the principal terms of all sales contracted for and the Commission’s recommendations in respect thereto;