

by 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;

(3) in the event that there may have been a financially more advantageous proposal for any rubber-producing facility than the sale recommended, a statement of the reasons why such sale is nevertheless proposed;

(4) the statement from the Attorney General setting forth findings approving the proposed disposals in accordance with the standards set forth in section 3(c) of this Act [section 1941a(c) of this Appendix];

(5) the program to be followed to place in standby condition the rubber-producing facilities not sold;

(6) an inventory report concerning the Government’s current stocks of synthetic rubber and its component materials;

(7) a program for the continuance, to the extent it deems necessary, during the fiscal year following the fiscal year in which the transfer period terminates, of the research program on synthetic rubber and its component materials then being carried on by the operating agency; and

(8) the names of persons who have represented the Government or the purchasers in conducting negotiations or in making contracts for disposal of the rubber-producing facilities.

#### (b) Time of submission of report; period for action by Congress

The report shall be submitted to both Houses of Congress on the same day. Upon the expiration of sixty days of continuous session of the Congress following the date upon which the report is submitted to it, the Commission shall proceed to carry out the contracts and proposals, as outlined in its report, to the extent that such contracts and proposals are not disapproved by either House of Congress by a resolution within the sixty-day period.

#### (c) Computation of period for Congressional action

For the purposes of subsection (b) of this section—

(1) continuity of session shall be considered as broken only by an adjournment of the Congress sine die; but

(2) in the computation of the sixty-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than three days to a day certain.

#### (d) Restriction on sale or lease of rubber-producing facilities

No rubber-producing facility shall be sold or leased except in accordance with this Act [sections 1941 to 1941y of this Appendix] or in accordance with section 7(d)(4) of the Rubber Act of 1948, as amended [section 1926(d)(4) of this Appendix].

#### (e) Funds for expenses; annual budget

Such sums as may be required for the foregoing purposes may be provided out of the pro-

ceeds of disposal, and annual budgets for the expenses necessary for such purposes shall be submitted in accordance with the Government Corporation Control Act of 1945, as amended (59 Stat. 597, 31 U.S.C. 841) [31 U.S.C. 9101 et seq.].

**(f) Leases of alcohol-butadiene facilities; requirements; advice of Attorney General**

Notwithstanding any other provisions of this Act [sections 1941 to 1941y of this Appendix], the Commission may, after securing the advice of the Attorney General as to whether the proposed lease would tend to create or maintain a situation inconsistent with the antitrust laws, enter into leases for the alcohol-butadiene facilities for a period of not less than one year, nor more than three years: *Provided*, That any such lease shall contain among other things (1) a national security clause, and (2) provisions for the recapture of such facilities by the Government and the termination of the lease, if the President determines that the national interest so requires. Not less than sixty days prior to said lease the Commission shall request such advice from the Attorney General who shall give the same within forty-five days of the receipt of such request.

(Aug. 7, 1953, ch. 338, § 9, 67 Stat. 412.)

REFERENCES IN TEXT

The Government Corporation Control Act of 1945, as amended, referred to in subsec. (e), is act Dec. 6, 1945, ch. 557, 59 Stat. 597, as amended, which was classified to chapter 14 (§841 et seq.) of former Title 31, and which was repealed by Pub. L. 97-258, §5(b), Sept. 13, 1982, 96 Stat. 1068, and reenacted by the first section thereof as chapter 91 (§9101 et seq.) of Title 31, Money and Finance.

TRANSFER OF FUNCTIONS

Functions, property, records, etc., of Rubber Producing Facilities Disposal Commission transferred to Federal Facilities Corporation by Ex. Ord. No. 10678, Sept. 20, 1956, 21 F.R. 7199, set out under section 1941r of this Appendix.

Federal Facilities Corporation dissolved and functions, property, records, etc., transferred to Administrator of General Services by Pub. L. 87-190, Aug. 30, 1961, 75 Stat. 418, set out as a note under section 1938 of this Appendix.

**§ 1941h. President's report to Congress on Nation's rubber requirements and resources**

At the expiration of one year after the transfer period or as soon thereafter as the Congress is in session, the President shall report to the Congress concerning the Nation's rubber requirements and resources, and the need, if any, for further research by the Government relative to the production or use of synthetic rubber and its component materials.

(Aug. 7, 1953, ch. 338, §10, 67 Stat. 413.)

**§ 1941i. Exclusion from term "rubber-producing facilities"**

The term "rubber-producing facilities" as used in this Act [sections 1941 to 1941y of this Appendix] shall not include the Government-owned evaluation laboratory at Akron, Ohio.

(Aug. 7, 1953, ch. 338, §11, 67 Stat. 413.)

DISPOSAL OF RESEARCH LABORATORIES AT AKRON, OHIO

Act July 26, 1956, ch. 738, 70 Stat. 657, provided: "That the Government laboratories at Akron, Ohio, now

under control of the National Science Foundation are hereby transferred to the General Services Administration for disposal in accordance with the Federal Property and Administrative Services Act of 1949 [see chapters 1 to 11 of Title 40, Public Buildings, Property, and Works, and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of Title 41, Public Contracts], except that the Administrator of General Services shall first offer the laboratories for public sale before seeking to dispose of them by transfer or assignment to any Federal agency. The Administrator of General Services, before he offers the laboratories to the public for sale, shall ascertain what the value of the laboratories would be to Government agencies which would make substantial use thereof, and the Administrator shall not sell the laboratories to the public unless he finds, after consultation with the Director of the Budget Bureau, that such sale to the public would be in the best interests of the United States, taking into consideration among other relevant factors the value of the laboratories to any interested agency and the amounts offered by public bidders. The National Science Foundation is authorized to reimburse the General Services Administration in advance for expenses necessary for the protection and maintenance of the laboratories up to June 30, 1957."

**§ 1941j. Disposition of proceeds from disposal of facilities**

All final net proceeds from disposal of the rubber-producing facilities shall be covered into the Treasury as miscellaneous receipts except as otherwise provided by this Act [sections 1941 to 1941y of this Appendix].

(Aug. 7, 1953, ch. 338, §12, 67 Stat. 413.)

**§ 1941k. Prior disposal of facilities as unaffected**

The sales, leases, or other dispositions made prior to the enactment of this Act [Aug. 7, 1953], pursuant to section 9(b) of the Rubber Act of 1948, as amended [section 1928(b) of this Appendix], shall not be affected by this Act [sections 1941 to 1941y of this Appendix].

(Aug. 7, 1953, ch. 338, §13, 67 Stat. 413.)

**§ 1941l. Conditional termination dates for Rubber Act of 1948**

Notwithstanding the provisions of section 20 of the Rubber Act of 1948, as amended [section 1938 of this Appendix], (1) if no report is submitted by the Commission, or if the report submitted by the Commission pursuant to section 9 of this Act [section 1941g of this Appendix] is disapproved in its entirety, then the Rubber Act of 1948, as amended [sections 1921 to 1938 of this Appendix] shall be extended until March 31, 1956; and (2) if the Commission submits a report and it is not disapproved in its entirety, the Rubber Act of 1948, as amended [said sections], shall terminate at the termination of the transfer period as provided in section 7(i) of this Act [section 1941e(i) of this Appendix].

(Aug. 7, 1953, ch. 338, §14, 67 Stat. 413.)

TRANSFER OF FUNCTIONS

Functions, property, records, etc., of Rubber Producing Facilities Disposal Commission transferred to Federal Facilities Corporation by Ex. Ord. No. 10678, Sept. 20, 1956, 21 F.R. 7199, set out under section 1941r of this Appendix.

Federal Facilities Corporation dissolved and functions, property, records, etc., transferred to Adminis-