

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 of former Title 31, and which was repealed by Pub.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-

trator 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.

**§ 1941m. Monthly reports by Commission to Congress of expenditures and obligations**

Thirty days following the receipt of proposals, as provided in section 7 of this Act [section 1941e of this Appendix] the Commission shall submit to the Congress a report stating the amount of funds expended by or obligated by the operating agency for the repair, replacement, additions, improvements, or maintenance of each synthetic rubber-producing facility for which proposals have been submitted. Thereafter reports shall be made monthly until such time as the Congress shall have permitted or disapproved in whole or in part the disposal recommended by the Commission.

(Aug. 7, 1953, ch. 338, §15, 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 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.

**§ 1941n. Basis for negotiating sale of a facility**

In arriving at its recommendations for the disposal of the facilities, the Commission shall use, as the basis for negotiating the sale of each facility the highest amount proposed to be paid for each facility, if, in the opinion of the Commission, the highest amount proposed to be paid was a bona fide proposal and was submitted by a person competent to operate a rubber-producing facility: *Provided*, That the words "competent to operate a rubber-producing facility" shall not be interpreted so as to require prior experience in the operation of a rubber-producing facility: *Provided further*, That in using such highest proposed amount as a basis for negotiations the Commission may negotiate with respect to any facility with any person who submitted a proposal on that or any similar facility and may recommend sale of any facility to any person who submitted a proposal on that or any similar facility at a price which is equal to, higher than, or lower than the highest amount proposed to be paid for each facility as the Commission determines will best effectuate the purposes of this Act [sections 1941 to 1941y of this Appendix].

(Aug. 7, 1953, ch. 338, §16, 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 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.

**§ 1941o. Criteria for disposal recommendations**

The following criteria, together with such other criteria as the Commission deems necessary or desirable to best effectuate the purposes of this Act [sections 1941 to 1941y of this Appendix], shall be used by the Commission in arriving at its recommendations for disposal:

(1) That the disposal program be designed best to afford small-business enterprises and users, other than the purchaser<sup>1</sup> of a facility, the opportunity to obtain a fair share of the end products of the facilities sold and at fair prices;

(2) That the prospective purchaser has the technical competence necessary to operate a rubber-producing facility, except that prior experience in operating a rubber-producing facility shall not be required as a basis for determining whether a prospective purchaser has the technical competence necessary to operate a rubber-producing facility;

(3) That the recommended sales shall provide for the development within the United States of a free, competitive, synthetic rubber industry, and do not permit any person to possess unreasonable control over the manufacture of synthetic rubber or its component materials;

(4) That the prospective purchaser is acting in good faith, and actually intends to operate the facility or facilities for the purpose of manufacturing synthetic rubber or its component materials;

(5) That full fair value for the facility or facilities will be received by the Government, taking into consideration the policy set forth in section 2 of this Act [section 1941 of this Appendix];

(6) That disposal of the facility or facilities to the purchasers is consistent with national security; and

(7) That the facilities recommended for sale will in the aggregate be capable of annually producing not less than five hundred thousand long tons of general-purpose synthetic rubber, and not less than forty-three thousand long tons annually of butyl rubber.

(Aug. 7, 1953, ch. 338, §17, 67 Stat. 414.)

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.

**§ 1941p. Authorization of disposal of facilities notwithstanding Rubber Act of 1948**

Unless otherwise provided in this Act [sections 1941 to 1941y of this Appendix], the disposal of the Government-owned rubber-producing facilities shall be authorized notwithstanding the provisions of the Rubber Act of 1948, as amended [sections 1921 to 1938 of this Appendix].

<sup>1</sup> So in original. Probably should be "purchaser".