ed by law on the effective date of this Act,[642] including any increase in or addition to spending authority provided by law on such date.

§ 401(c)(2)   (2) For purposes of paragraph (1), the term "spending authority"[643] means authority (whether temporary or permanent) —

§ 401(c)(2)(A)   (A) to enter into contracts under which the United States is obligated to make outlays,[644] the budget authority[645] for which is not provided in advance by appropriation Acts;[646]

§ 401(c)(2)(B)   (B) to incur indebtedness (other than indebtedness incurred under chapter 31[647] of title 31 of the United States Code) for the repayment of which

---

[642] Section 211 of Gramm-Rudman-Hollings changed this word from "section" to "Act." *See infra* p. 415. As originally written, the reference was clear: section 905(c) indicates that the effective date for section 401 was January 19, 1976. *See infra* p. 369 & note 984. As amended, however, the intent is ambiguous. Section 905(a) provides that the effective date of the Act was the date of enactment, July 12, 1974, except as provided in section 905, which has the specific reference to (among other sections) section 401. *See infra* p. 369. Note that the drafters of Gramm-Rudman-Hollings made clear when they meant the date of enactment of Gramm-Rudman-Hollings instead of the date of enactment of the Congressional Budget Act. *See* section 401(d)(3)(A)(ii) *infra* p. 257.

[643] Note that section 406(a), regarding off-budget agencies, programs, and activities (*see infra* p. 270), requires that certain items be included in spending authority.

[644] Section 3(1) defines "outlays." *See supra* p. 11.

[645] Section 3(2) defines "budget authority." *See supra* pp. 11-13.

[646] For a discussion of whether something is "provided in advance by appropriation Acts," see generally *infra* note 652.

Section 3(5) defines "appropriation Act" by reference to 1 U.S.C. § 105. *See supra* p. 16. For the text of 1 U.S.C. § 105 (1988), see *supra* note 36.

[647] Chapter 31 comprises 31 U.S.C. §§ 3101-3129 (1988 & Supp. III 1991).