

and

§ 401(e)(2)(E)

(E) to make payments by the United States (including loans, grants, and payments from revolving funds) other than those covered by subparagraph (A),<sup>655</sup> (B),<sup>656</sup> (C),<sup>657</sup> or (D),<sup>658</sup> the budget authority<sup>659</sup> for which is not provided in advance by appropriation Acts.<sup>660</sup>

Such term does not include authority to insure or guarantee the repayment of indebtedness incurred by another person or government.

§ 401(d)

(d) EXCEPTIONS. —

§ 401(d)(1)

(1) Subsections (a)<sup>661</sup> and (b)<sup>662</sup> shall not apply to new spending authority<sup>663</sup> if the budget authority<sup>664</sup> for

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<sup>655</sup> See *supra* p. 251.

<sup>656</sup> See *supra* p. 251.

<sup>657</sup> See *supra* p. 252-253.

<sup>658</sup> See *supra* p. 253.

<sup>659</sup> Section 3(2) defines "budget authority." See *supra* pp. 11-13.

<sup>660</sup> For a discussion of whether something is "provided in advance by appropriation Acts," see generally *supra* 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.

<sup>661</sup> See *supra* pp. 247-248.

<sup>662</sup> See *supra* pp. 248-250.

<sup>663</sup> Section 401(c) defines "new spending authority." See *supra* pp. 250-254.

<sup>664</sup> Section 3(2) defines "budget authority." See *supra* pp. 11-13.