
**STUDY BY THE GENERAL ACCOUNTING
OFFICE OF FORMS OF FEDERAL FINAN-
CIAL COMMITMENT THAT ARE NOT
REVIEWED ANNUALLY BY CONGRESS**

§ 405

SEC. 405.⁷²³ The General Accounting Office shall study those provisions of law which provide spending authority as described by section 401(c)(2)⁷²⁴ and which provide permanent appropriations, and report to the Congress its recommendations for the appropriate form of financing for activities or programs financed by such provisions not later than eighteen months after the effective date of this section. Such report shall be revised from time to time.

⁷²³ Section 214 of Gramm-Rudman-Hollings added sections 405-407. *See infra* p. 418. Section 405 is codified at 2 U.S.C. § 654 (1988).

⁷²⁴ *See supra* pp. 251-254.

OFF-BUDGET AGENCIES, PROGRAMS, AND ACTIVITIES

§ 406(a) **SEC. 406.**⁷²⁵ (a) Notwithstanding any other provision of law, budget authority,⁷²⁶ credit authority,⁷²⁷ and estimates of outlays⁷²⁸ and receipts for activities of the Federal budget which are off-budget immediately prior to the date of enactment of this section, not including activities of the Federal Old-Age and Survivors Insurance and Federal Disability Insurance Trust Funds,⁷²⁹ shall be included⁷³⁰ in a budget submitted pursuant to section 1105⁷³¹ of title 31, United States Code, and in a concurrent resolution on the budget reported pursuant

⁷²⁵ Section 214 of Gramm-Rudman-Hollings added sections 405-407. *See infra* p. 418. Section 406 is codified at 2 U.S.C. § 655 (1988).

⁷²⁶ Section 3(2) defines "budget authority." *See supra* pp. 11-13.

⁷²⁷ Section 3(10) defines "credit authority." *See supra* p. 19.

⁷²⁸ Section 3(1) defines "outlays." *See supra* p. 11.

⁷²⁹ The Social Security Act creates these trust funds at 42 U.S.C. §§ 401(a) & 401(b) (1988 & Supp. III 1991), respectively.

⁷³⁰ Despite this effort to include off-budget Government entities in the budgetary totals, Congress has subsequently created new off-budget Government entities to refinance the Farm Credit System and the insurance system for the savings and loan industry. The Agricultural Credit Act of 1987 created the Farm Credit System Financial Assistance Corporation, the Federal Savings and Loan Insurance Corporation Recapitalization Act of 1987 created the Financing Corporation for that industry, and the Financial Institutions Reform, Recovery and Enforcement Act of 1989 created the Resolution Funding Corporation, also for that industry. Similarly, the Omnibus Budget Reconciliation Act of 1989 took the Postal Service out of the budget. Finally, section 13301 of the Budget Enforcement Act completed the removal of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund (that is, Social Security) from the budget. *See infra* p. 745.

⁷³¹ Section 1105, entitled "Budget contents and submission to Congress," deals with the executive department's budget submission. *See infra* pp. 788-798.

to section 301⁷³² or section 304⁷³³ of this Act and shall be considered, for purposes of this Act, budget authority,⁷³⁴ outlays,⁷³⁵ and spending authority⁷³⁶ in accordance with definitions set forth in this Act.

- § 408(b) (b) All receipts and disbursements of the Federal Financing Bank with respect to any obligations which are issued, sold, or guaranteed by a Federal agency shall be treated as a means of financing such agency for purposes of section 1105⁷³⁷ of title 31, United States Code, and for purposes of this Act.

⁷³² See *supra* pp. 50-87.

⁷³³ See *supra* pp. 117-119.

⁷³⁴ Section 3(2) defines "budget authority." See *supra* pp. 11-13.

⁷³⁵ Section 3(1) defines "outlays." See *supra* p. 11.

⁷³⁶ Section 401(c)(2) defines "spending authority." See *supra* pp. 251-254.

⁷³⁷ Section 1105, entitled "Budget contents and submission to Congress," deals with the executive department's budget submission. See *infra* pp. 788-798.

MEMBER USER GROUP

§ 407 **SEC. 407.**⁷³⁸ The Speaker of the House of Representatives, after consulting with the Minority Leader of the House, may appoint a Member User Group for the purpose of reviewing budgetary scorekeeping rules and practices of the House and advising the Speaker from time to time on the effect and impact of such rules and practices.

⁷³⁸ Section 214 of Gramm-Rudman-Hollings added sections 405-407. *See infra* p. 418. Section 407 is codified at 2 U.S.C. § 656 (1988).