

for all direct spending¹⁸⁶² except net interest and deposit insurance¹⁸⁶³ as determined by the Director of the Office of Management and Budget (Director) under subsection (b).

§ 2(b)(1) (b) *Initial Report by Director.* (1) Not later than 30 days after the date of enactment of the Omnibus Budget Reconciliation Act of 1993 (OBRA),¹⁸⁶⁴ the Director¹⁸⁶⁵ shall submit

¹⁸⁶² Section 250(c)(8) of Gramm-Rudman-Hollings defines "direct spending" to mean:

- (A) budget authority provided by law other than appropriation Acts;
- (B) entitlement authority; and
- (C) the food stamp program.

See supra pp. 444-445. Sections 3(9) and 401(c)(2)(C) of the Congressional Budget Act, in turn, define "entitlement authority" similarly to mean authority:

to make payments (including loans and grants), the budget authority for which is not provided for in advance by appropriations Acts, to any person or government if, under the provisions of the law containing such authority, the United States is obligated to make such payments to persons or governments who meet the requirements established by such law

See supra pp. 18 & 252-253.

Section 13301 of the Budget Enforcement Act excluded the receipts and disbursements of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund from this definition of "direct spending." *See supra* pp. 745-746. By omitting the Social Security trust funds from the list of items excluded from direct spending, the executive order opens the question of whether the President intended to include Social Security in the order's entitlement review, in contravention of the plain intent of section 13301 of the Budget Enforcement Act. The principal drafter of the House-passed legislation on which the President based the order, Congressman Charles Stenholm, certainly intended this result.

¹⁸⁶³ Section 250(c)(19) of Gramm-Rudman-Hollings defines "deposit insurance." *See supra* p. 447. Compare the similar exclusion of deposit insurance funding from the pay-as-you-go enforcement in section 252(b)(1)(A) of Gramm-Rudman-Hollings. *See supra* p. 510.

¹⁸⁶⁴ Pub. L. No. 103-66, 107 Stat. 312 (1993), enacted August 10, 1993. The Order thus required action not later than September 9, 1993.