

- § 3(8)(A)(ii) (ii) is privately owned, as evidenced by capital stock owned by private entities or individuals;
- § 3(8)(A)(iii) (iii) is under the direction of a board of directors, a majority of which is elected by private owners;
- § 3(8)(A)(iv) (iv) is a financial institution with power to —
- § 3(8)(A)(iv)(I) (I) make loans or loan guarantees for limited purposes such as to provide credit for specific borrowers or one sector; and
- § 3(8)(A)(iv)(II) (II) raise funds by borrowing (which does not carry the full faith and credit of the Federal Government) or to guarantee the debt of others in unlimited amounts; and
- § 3(8)(B)(i) (B)(i) does not exercise powers that are reserved to the Government as sovereign (such as the power to tax or to regulate interstate commerce);
- § 3(8)(B)(ii) (ii) does not have the power to commit the Government financially (but it may be a recipient of a loan guarantee commitment made by the Government); and
- § 3(8)(B)(iii) (iii) has employees whose salaries and expenses are paid by the enterprise and are not Federal employees subject to title 5 of the United States Code.
- § 3(9) (9)⁴³ The term “entitlement authority” means

⁴³ Section 201(a)(1) of Gramm-Rudman-Hollings added paragraphs (9) and (10). See *infra* p. 413.

spending authority described by section 401(c)(2)(C).⁴⁴

§ 3(10)

(10)⁴⁵ The term "credit authority"⁴⁶ means authority to incur direct loan obligations or to incur primary loan guarantee commitments.⁴⁷

⁴⁴ Section 401(c)(2)(C) describes authority:

(C) 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 infra pp. 252-253. For a discussion of language that ensures that authority will not constitute entitlement authority, *see infra* note 652.

⁴⁵ Section 201(a)(1) of Gramm-Rudman-Hollings added paragraphs (9) and (10). *See infra* p. 413.

⁴⁶ Section 402(b) defines "new credit authority":

(b) DEFINITION. — For purposes of this Act, the term "new credit authority" means credit authority (as defined in section 3(10) of this Act) not provided by law on the effective date of this section, including any increase in or addition to credit authority provided by law on such date.

See infra p. 261. Note that title V of the Congressional Budget Act addresses the issue of credit accounting. *See infra* pp. 273-298.

⁴⁷ An Act to Abolish the Joint Committee on Atomic Energy, Pub. L. No. 95-110, 91 Stat. 884 (1977), repealed section 3(b). As originally enacted in 1974, section 3(b) read as follows:

(b) JOINT COMMITTEE ON ATOMIC ENERGY. — For purposes of titles II, III, and IV of this Act, the Members of the House of Representatives who are members of the Joint Committee on Atomic Energy shall be treated as a standing committee of the House, and the Members of the Senate who are members of the Joint Committee shall be treated as a standing committee of the Senate.