

§ 256(k)(2)(A)

(A) **GENERAL RULE.** — Notwithstanding section 403(k) of the Social Security Act, each State's percentage share of the amount available after sequestration¹⁶¹⁰ for direct spending¹⁶¹¹ pursuant to section 403(l) of such Act for the fiscal year to which the sequestration applies shall be equal to —

§ 256(k)(2)(A)(i)

(i) the lesser of —

§ 256(k)(2)(A)(i)(I)

(I) that percentage of the total amount paid to the States pursuant to such section 403(l) for the prior fiscal year that is represented by the amount paid to such State pursuant to such section 403(l) for the prior fiscal year; or

§ 256(k)(2)(A)(i)(II)

(II) the amount that would have been allotted to such State pursuant to such section 403(k) had the sequestration¹⁶¹² not been in effect.

§ 256(k)(2)(B)

(B) **REALLOTMENT OF AMOUNTS REMAINING UNALLOTTED AFTER APPLICATION OF GENERAL RULE.** — Any amount made available after sequestration¹⁶¹³ for direct spending¹⁶¹⁴ pursuant to section 403(l) of the Social Security Act for the fiscal year to which the sequestration applies that remains unallotted as a result of subparagraph (A) of this paragraph shall be allotted among the States in

¹⁶¹⁰ Section 250(c)(2) defines "sequestration." *See supra* p. 440.

¹⁶¹¹ Section 250(c)(8) defines "direct spending." *See supra* p. 444.

¹⁶¹² Section 250(c)(2) defines "sequestration." *See supra* p. 440.

¹⁶¹³ Section 250(c)(2) defines "sequestration." *See supra* p. 440.

¹⁶¹⁴ Section 250(c)(8) defines "direct spending." *See supra* p. 444.