

Section 7602, Pub. L. 89-10, title VII, § 7502, as added Pub. L. 103-382, title I, § 101, Oct. 20, 1994, 108 Stat. 3748, related to regulations and parental notification. See sections 7012 and 7014 of this title.

### SUBCHAPTER VIII—IMPACT AID

#### PRIOR PROVISIONS

Provisions similar to those in this subchapter were contained in chapters 13 (§236 et seq.) and 19 (§631 et seq.) of this title prior to repeal by Pub. L. 103-382, §331.

#### § 7701. Purpose

In order to fulfill the Federal responsibility to assist with the provision of educational services to federally connected children in a manner that promotes control by local educational agencies with little or no Federal or State involvement, because certain activities of the Federal Government, such as activities to fulfill the responsibilities of the Federal Government with respect to Indian tribes and activities under section 571 of title 50, Appendix, place a financial burden on the local educational agencies serving areas where such activities are carried out, and to help such children meet challenging State standards, it is the purpose of this subchapter to provide financial assistance to local educational agencies that—

- (1) experience a substantial and continuing financial burden due to the acquisition of real property by the United States;
- (2) educate children who reside on Federal property and whose parents are employed on Federal property;
- (3) educate children of parents who are in the military services and children who live in low-rent housing;
- (4) educate heavy concentrations of children whose parents are civilian employees of the Federal Government and do not reside on Federal property; or
- (5) need special assistance with capital expenditures for construction activities because of the enrollments of substantial numbers of children who reside on Federal lands and because of the difficulty of raising local revenue through bond referendums for capital projects due to the inability to tax Federal property.

(Pub. L. 89-10, title VIII, § 8001, as added Pub. L. 103-382, title I, § 101, Oct. 20, 1994, 108 Stat. 3749; amended Pub. L. 106-398, § 1 [[div. A], title XVIII, § 1802], Oct. 30, 2000, 114 Stat. 1654, 1654A-368; Pub. L. 108-189, § 2(f), Dec. 19, 2003, 117 Stat. 2866.)

#### PRIOR PROVISIONS

A prior section 8001 of Pub. L. 89-10 was classified to section 3351 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

Another prior section 8001 of Pub. L. 89-10 was renumbered section 9001 and was classified to section 3381 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

#### AMENDMENTS

2003—Pub. L. 108-189 substituted “section 571” for “section 574” in introductory provisions.

2000—Pub. L. 106-398, § 1 [[div. A], title XVIII, § 1802(1)], in introductory provisions, inserted “in a manner that promotes control by local educational agencies with little or no Federal or State involvement” after “educational services to federally connected children” and “, such as activities to fulfill the

responsibilities of the Federal Government with respect to Indian tribes and activities under section 574 of title 50, Appendix,” after “certain activities of the Federal Government”.

Par. (4). Pub. L. 106-398, § 1 [[div. A], title XVIII, § 1802(2)], inserted “or” at end.

Pars. (5), (6). Pub. L. 106-398, § 1 [[div. A], title XVIII, § 1802(3)-(5)], redesignated par. (6) as (5), inserted “and because of the difficulty of raising local revenue through bond referendums for capital projects due to the inability to tax Federal property” before period at end, and struck out former par. (5) which read as follows: “experience sudden and substantial increases or decreases in enrollments because of military realignments; or”.

#### EFFECTIVE DATE OF 2000 AMENDMENT

Pub. L. 106-398, § 1 [[div. A], title XVIII, § 1818], Oct. 30, 2000, 114 Stat. 1654, 1654A-389, provided that: “This title [amending this section and sections 1228, 7702, 7703, 7705, 7707, 7709 to 7713, and 7714 of this title, repealing section 7706 of this title, and enacting provisions set out as notes under sections 6301, 7703, and 7711 of this title], and the amendments made by this title, shall take effect on October 1, 2000, or the date of the enactment of this Act [Oct. 30, 2000], whichever occurs later.”

#### EFFECTIVE DATE

Pub. L. 103-382, § 3(a)(1), Oct. 20, 1994, 108 Stat. 3518, provided that:

“(A) Title I [amending generally Pub. L. 89-10 (formerly chapter 47 of this title, now this chapter)] and the amendment made by title I of this Act shall take effect July 1, 1995, except that those provisions of title I that apply to programs under title VIII (Impact Aid) of the Elementary and Secondary Education Act of 1965 [this subchapter], as amended by this Act, and to programs under such Act [this chapter] that are conducted on a competitive basis, shall be effective with respect to appropriations for use under such programs for fiscal year 1995 and for subsequent fiscal years.

“(B) Title VIII of the Elementary and Secondary Education Act of 1965 [this subchapter], as amended by title I of this Act, shall take effect on the date of the enactment of this Act [Oct. 20, 1994].”

#### § 7702. Payments relating to Federal acquisition of real property

##### (a) In general

Where the Secretary, after consultation with any local educational agency and with the appropriate State educational agency, determines—

- (1) that the United States owns Federal property in the local educational agency, and that such property—

(A) has been acquired by the United States since 1938;

(B) was not acquired by exchange for other Federal property in the local educational agency which the United States owned before 1939; and

(C) had an assessed value (determined as of the time or times when so acquired) aggregating 10 percent or more of the assessed value of—

(i) all real property in the local educational agency (similarly determined as of the time or times when such Federal property was so acquired); or

(ii) all real property in the local educational agency as assessed in the first year preceding or succeeding acquisition, whichever is greater, only if—