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- Attachments: 1) May 3 Congressional Record reprint on LSCA bill, HR 2878
2) HR 2878, LSCA Amendments, major changes from Dec. 8 discussion draft

LSCA Reauthorization

House Postsecondary Education Subcommittee Chairman Paul Simon (D-IL) introduced HR 2878, the Library Services and Construction Act Amendments of 1983, on May 3. Two days later the subcommittee approved the bill, and on May 11 the full Education and Labor Committee ordered it reported in a unanimous voice vote. The committee issued its report (H.Rept. 98-165) on May 16. A five-year reauthorization and revision of LSCA, HR 2878 is based on a series of hearings at which over 200 witnesses testified, as well as reaction to an earlier draft bill prepared by Rep. Simon and widely circulated in the library community last December.

HR 2878, according to Simon's introductory statement (attached to this newsletter), reflects the expanded role libraries have assumed as community information centers, places more emphasis on service and less on reaching all geographic locations, provides further encouragement for resource sharing and authorizes funding directly to Indian tribes in a new title IV. Among the most significant changes from the December 8 draft bill are the addition of two new competitive grant programs directly to libraries -- title V for acquisition of foreign language materials, and title VI for library literacy programs. Both are subjects about which Simon feels strongly, and which he has addressed in other legislative measures as well.

The ranking minority member of the subcommittee, E. Thomas Coleman (R-MO), moved in subcommittee markup to delete the provision that appropriations for titles I, II and III could not be paid out unless title IV was funded fully. Coleman's amendment was agreed to, but in full committee markup Simon offered a further amendment as a compromise which was also accepted. Simon's amendment changes title IV funding from a 2 percent add-on to a 2 percent setaside from amounts appropriated for titles I, II and III in FY 1985, '86, '87 and '88.

A Coleman amendment accepted in full committee would allow states to take administrative costs for title II from title II funds instead of having all administrative costs come from title I. As introduced, HR 2878 would authorize forward funding to provide more advance planning time. Both Coleman on May 5 and ranking full committee minority member John Erlenborn (R-IL) attempted without success to remove this provision. These and other changes from the December 8 draft bill are detailed in an attachment to this newsletter. (The December 8 draft was analysed in an attachment to the December 17, 1982 newsletter.)

In addition to oversight hearings in the last Congress, three days of hearings on the earlier draft were held in Washington, D.C. on March 15-17 by Simon's subcommittee. The first day was devoted to the Indian services title with witnesses Lotsee Patterson-Smith of Texas Women's University; Virginia Matthews, NCLIS consultant on American Indian library services; and E.J. Josey of the New York State Library. Witnesses on the 16th included Patricia Klinck, Vermont State Librarian; Nettie Taylor, Maryland State Librarian; Clarence Walters, Connecticut State Librarian; Joan Collett, St. Louis Public Library Director; Hardy Franklin, D.C. Public Library Director; JoAn Segal, Director, Bibliographical Center for Research in Denver; and Whitney North Seymour, Jr., National Citizens for Public Libraries. On the 17th, witnesses were Laura Chodos, Chair of the WHCLIS Task Force, Helen Lyman, Professor Emeritus, University of Wisconsin-Madison; Evelyn Minick, Director, York (PA) County Library System; Roy Millenson, Association of American Publishers; and Donald Senese, the Education Department's Assistant Secretary for Educational Research and Improvement, who testified in opposition to reauthorization of LSCA.

Appropriations, FY 1984

Eileen D. Cooke, AIA Washington Office Director, testified May 2 before the Senate Labor-HHS-Education Appropriations Subcommittee, recommending funding of Education Department library programs as follows:

	FY 1983 Appropriation	FY 1984 Reagan Request	FY 1984 AIA Recommendation
Library Services & Construction Act			
Title I, public library services	\$ 60,000,000	-0-	\$ 65,000,000
II, pub. lib. construction	50,000,000	-0-	50,000,000
III, interlibrary cooperation	11,520,000	-0-	15,000,000
Higher Education Act			
Title II-A, college lib. resources	1,920,000	-0-	5,000,000
II-B, training, research	880,000	-0-	1,200,000
II-C, research libraries	6,000,000	-0-	6,000,000
Educ. Consolidation & Improvement Act			
Chapter 2 state block grant	479,420,000	478,879,000	589,368,000

Amounts recommended are the authorized limits set by the Omnibus Budget Reconciliation Act of 1981 (PL 97-35) except for LSCA II where despite a zero authorization, Congress appropriated \$50 million in the emergency jobs supplemental (PL 98-8) for FY 1983. The testimony also recommended authorized levels of funding in FY 1984 for the National Commission on Libraries and Information Science (\$700,000), the National Center for Education Statistics (\$8,947,000), and the Medical Library Assistance Act (pending authorization of \$10,500,000 in S. 773 or \$10,000,000 in HR 2350). The testimony will be repeated before the House subcommittee on May 24.

NLW Legislative Day

A record number of library supporters, about 350 from 37 states, participated in National Library Week Legislative Day activities on April 19. After the day of visits to congressional offices, it seemed clear that there is little support for elimination of library programs as proposed in the Administration's budget. Two special guests enlivened the day. Librarian Rep. Major Owens (D-NY) attended the wrap-up session and urged library supporters to provide ammunition from their own library experiences for his subcommittee assignments. "I'd like to see myself become the beneficiary of your leadership," he said. He can use examples, information about projects and ongoing activities such as job information centers not just in LSCA but

in job opportunities bills. He hopes to spin off funds to libraries in as many contexts as possible. Barbara Bush, wife of the Vice-President, stopped by during the reception and shared her special interest in reading and eradicating illiteracy with those participants who took the opportunity to chat with her.

ACTION NEEDED: Funding subcommittees are finishing their hearings this month and some have already begun to make their recommendations. This is the time to send follow-up information and thank you letters to those visited on Legislative Day. In particular, constituents of members on the L-HHS-ED Appropriations Subcommittees handling library programs (see March 15 newsletter for lists of members) should write about programs of concern to them.

On May 3 Rep. Robert Torricelli (D-NJ) introduced H.Con.Res. 121, a "sense of the Congress" resolution rejecting the President's proposals to eliminate funding of library programs. The text is identical to that of Sen. Sarbanes' resolution (S. Res. 88) attached to the April 5 ALA Washington Newsletter.

Cable TV Legislation

S. 66, the Cable Telecommunications Act of 1983, was approved by the Senate Committee on Commerce, Science, and Transportation on April 21 by a vote of 15 to 2 (Sens. James Exon, D-NE, and Frank Lautenberg, D-NJ, voted nay). As reflected in the Committee's report (S. Rept. 98-67), the bill was substantially revised to reflect a compromise worked out between the National Cable Television Association and the National League of Cities. Most library users of cable will find the revised S. 66 little improved over the original industry-oriented version.

The definition of "basic service" has been expanded to include the retransmission of local broadcast signals, public, educational, and governmental programming and any other programming service offered by a cable operator and specified in the franchise as part of the basic tier. However, the revised bill would allow access only where the cable operator voluntarily agreed to provide it. The earlier proposal for a 10 percent minimum setaside for public access was eliminated. Franchising authorities and cable operators could establish rules and procedures for use of access channels, but the franchising authority could require channel capacity for governmental access only, not for public, educational or other programmers or for leased access. Access channels could be combined or used for other services until such time as demand for each channel reached full time for its designated use.

Existing franchise agreements which required more than the bill allows would be grandfathered for the life of the franchise, but franchises expiring within two years of enactment must file for renewal within 60 days. The bill establishes a renewal presumption for incumbent cable operators. Local programming, news, and coverage of issues of special interest to the community are not considered in the renewal test.

Franchise fees would be limited to five percent of the cable operator's gross revenue. State and local governments could regulate rates only in the short term, only when alternative broadcast services were not available, and only for basic service, equipment for receipt of basic service, and service reception by hearing impaired individuals. No level of government would have the authority to regulate cable as a common carrier except for basic phone service.

Meanwhile, House telecommunications subcommittee staff are working on a House version of cable legislation to be introduced soon by Chairman Timothy Wirth (D-CO).

National Endowment for the Humanities

Hearing and Reorganization. On May 3 the House Interior Appropriations Subcommittee chaired by Rep. Sidney Yates (D-IL) held a hearing on the FY 1984 budget of

the National Endowment for the Humanities with public witnesses. Testifying for ALA was Agnes Griffen, Director of the Montgomery County, Maryland, Department of Public Libraries and immediate past president of ALA's Public Library Association. She recommended against cutting NEH funding and for retention of Humanities Projects in Libraries as a line item. The Administration has requested \$112,200,000 for NEH, a significant cut of 14 percent, although not nearly so severe as two years ago when a 50 percent cut was requested.

In a June 1982 reorganization, NEH's Humanities Projects in Libraries, under which many libraries received grants for humanities programming, was integrated into Program Development with the Division of General Programs. However, Congress kept Humanities Projects in Libraries as a line item and earmarked \$2,650,000 for it in FY 1983. For FY 1984 NEH proposes again to combine library projects with a broad range of other activities in Program Development which would have less money (\$2,250,000) in total than the library program alone in FY 1983, and which anticipates receiving about 400 applications of which only 30 could be funded.

Carlton Rochell, Dean of the Library, New York University, testified for the Association of Research Libraries, concentrating on the problem of preservation of library materials. He recommended three appropriate areas for NEH funding: (1) mechanisms to complement and further the research and development initiatives of other libraries, (2) assistance to state and regional groups to set up and support cooperative centers and training facilities for conservationists and preservationists, and (3) targeting of those collections for which it is clearly in the national interest not to allow further deterioration, and then helping fund their preservation.

Grant Deadlines. August 1 is the next deadline for applications in Program Development, which currently includes humanities programming in libraries. Contact Office of Special Projects, NEH, 1100 Pennsylvania Ave., N.W., Washington, D.C. 20506 (202/786-0271). September 19 is the deadline for preliminary proposals for Youth Project grants to support challenging out-of-school projects for groups of young people to develop their knowledge and skills in humanities disciplines. Contact NEH Division of General Programs, Youth Projects, Mail Stop 426, 1100 Pennsylvania Ave., N.W., Washington, D.C. 20506.

In recognition of the 200th anniversary of the U.S. Constitution, NEH welcomes proposals to all divisions involving studies by scholars over the whole range of philosophical and historical questions raised by the Constitution and the founding period. Wide dissemination of the results of such studies is encouraged, as well as of the best work now existing through conferences, public lectures and exhibitions, television, radio and movie productions, and through summaries and analyses for students and general audiences. Contact the appropriate NEH division or call 202/786-0438.

Federal Register Availability in Libraries

The April 20 Federal Register (pp. 17032-17040) included a list of libraries which have announced the availability of the Federal Register and the Code of Federal Regulations. The list, which will be updated at least annually, contains only those government depository libraries and other libraries that specifically have chosen to be included. Any library that maintains these publications, makes them available to the public, and wishes to be included on future lists should write to the Director of the Federal Register, NARS, GSA, Washington, D.C. 20408 (202/523-5227). A complete listing of Government Depository Libraries is available without charge from The Library, U.S. Government Printing Office, 5236 Eisenhower Ave., Alexandria, VA 22304.

National Archives

Appropriations. Thanks to subcommittee Chairman Edward Roybal (D-CA) and Rep. Silvio Conte (R-MA), the House Treasury-Postal Service-General Government Appropriations Subcommittee approved May 12 an extra \$6 million over the \$87,105,000 requested by the Administration for the National Archives and Records Service for FY 1984. Of the \$6 million, \$3 million would be for preservation at NARS and \$3 million for the grant programs of the National Historical Publications and Records Commission.

NHPRC Reauthorization. A five-year extension of the grant programs of the National Historical Publications and Records Commission (HR 2196, H. Rept. 98-129) was approved by the House Government Operations Committee on May 3. The bill, introduced March 21 by committee Chairman Jack Brooks (D-TX) now has 29 cosponsors; it would authorize \$3 million per year through FY 1988.

NARS Independence. A bill (S. 905) to separate the National Archives from the General Services Administration and make it an independent agency was approved May 2 by the Senate Civil Service, Post Office, and General Services Subcommittee chaired by Sen. Ted Stevens (R-AK). Introduced March 23 by Sen. Thomas Eagleton (D-MO), S. 905 has picked up 23 cosponsors, including 13 of the 18 members of the full Governmental Affairs Committee. Two who have not yet committed themselves are thought to be key to Senate passage -- full committee Chairman William Roth (R-DE) and Majority Leader Howard Baker (R-TN).

Census Microfilm Rental. After a budget-imposed hiatus of 19 months on loan of census microfilm, the National Archives and Records Service has named the DDD Company as the contractor to carry out a new rental program. A basic seven-day rental is \$2.25, with a 5¢ per roll discount for deposit account customers. As before, the program will operate only through public libraries and genealogical associations. Individuals cannot order film directly. Order forms and promotional literature are being widely distributed. After June 5, institutional orders may be sent to Census Microfilm Rental Program, P.O. Box 2940, Hyattsville, MD 20784.

National Science Foundation Grants

Proposals for the NSF's Special Research Initiation Awards for new Investigators in Information Science and Technology are due by August 3, 1983. Contact Dr. Edward Weiss, Division of Information Science and Technology (202/357-9572). The NSF Bulletin, available at no charge, includes program schedules and deadlines, and notices about brochures describing the various programs. To receive a copy write: Editor, NSF Bulletin, Public Information Branch, NSF, Washington, D.C. 20550.

National Commission on Excellence in Education

The National Commission on Excellence in Education, created by Education Secretary T. H. Bell in August of 1981, issued its report in April -- A Nation at Risk: The Imperative for Educational Reform. Brief (36 pages), blunt ("Our Nation is at risk."), significant ("...the educational foundations of our society are presently being eroded by a rising tide of mediocrity..."), and quotable ("History is not kind to idlers."), the report has attracted considerable attention. It makes only passing reference to libraries, but has many observations and recommendations of interest to librarians. Although many of the Commission's recommendations do not involve money, it does make clear that there is a federal responsibility to provide leadership, funding and support in educational areas of national consequence. The report is available for \$4.50 from SuDocs, GPO, Washington, D.C. 20402 (Stock No. 065-000-00177-2), and will be in the ERIC system after July. The entire text was inserted in the May 5 Congressional Record by Sen. Ernest Hollings (D-SC) on pages S6096-6108.

Congressional Record

House Postsecondary Education Subcommittee Chairman Paul Simon (D-IL) introduced on May 3 the Library Services and Construction Act Amendments of 1983 (HR 2878). A five-year reauthorization and revision of LSCA, the bill reflects the expanded role libraries have assumed as community information and referral centers; it places more emphasis on service and less on reaching all geographic locations. In other changes from current law, the bill provides further encouragement for resource sharing, authorizes funding directly to Indian tribes in a new title IV, authorizes funding of foreign language materials in a new title V, and authorizes funding of library literacy programs in a new title VI. As approved by the Education and Labor Committee on May 11, title IV Library Services for Indian Tribes, would be funded beginning in FY 1985 through a setaside of 2 percent of the amount appropriated for titles I, II, and III. Cosponsors of the bill are Reps. Carl Perkins (D-KY), Bill Ford (D-MI), Ray Kogovsek (D-CO), Major Owens (D-NY), and Steve Gunderson (R-WI).

PUBLIC LIBRARY SERVICES

HON. PAUL SIMON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 1983

● Mr. SIMON. Mr. Speaker, today I am introducing a bill to reauthorize and amend the Library Services and Construction Act (LSCA). Over the past 2 years the Subcommittee on Postsecondary Education has held a series of hearings across the Nation on the impact of LSCA on public libraries. Over 200 witnesses testified and each of them expressed strong support for the act. At the same time we received excellent recommendations on needed changes. It became clear during the hearings that libraries play a vital role in communities all across America—a role that has changed to meet the needs of citizens as they arise. Libraries are no longer mere depositories for books. They have become community information cen-

ters providing not only information but a variety of services to their users. The bill I am introducing today incorporates these findings and recognizes the expanded role libraries have assumed.

When the first Library Services Act was passed in 1957 its goal was to provide libraries for all geographic locations. To a large extent that goal has been reached and it is currently estimated that over 95 percent of the country has access to a library. However, as the information explosion began the demand on public libraries increased dramatically. In response to these new demands for service the reauthorization bill includes the following revisions:

The role of libraries has been expanded to include providing programs to meet the needs of special populations, providing literacy training programs for illiterate and functionally illiterate adults and sharing resource materials among a wide variety of libraries;

The use of construction funds allows for remodeling for handicapped access, and energy conservation;

Expanded resource sharing between libraries is encouraged;

Funds are made available directly to Indian tribes for developing library services under title IV of the act;

Funding for libraries to purchase foreign language materials, is authorized under a new title V; and

Funding to allow libraries to participate in literacy programs is authorized under a new title VI.

These new initiatives will allow public library services to be expanded to citizens who thus far have been denied those services. They also set the stage for libraries to enter the ever expanding areas of information transfer. I urge my colleagues to join me in cosponsoring this important legislation. ●

(Page E2039)

HR 2878, the Library Services and Construction Act Amendments of 1983, as introduced May 3 and approved by the House Education and Labor Committee May 11, includes the following major changes from the December 8 discussion draft:

Findings A new clause has been added: "funding for construction of new libraries and renovation of existing libraries is essential to ensure continuation of library services for the public".

Definitions A definition of "Indian country" has been deleted.

Authorizations \$50,000,000 is authorized for title II in FY 1984 as well as for each of the following four fiscal years.

In subcommittee markup Rep. E. Thomas Coleman (R-MD) offered an amendment to delete the language which provides that titles I, II and III could not be funded unless title IV, Library Services for Indian Tribes, was funded. This amendment was accepted. In full committee Rep. Paul Simon (D-IL) offered a compromise which would replace the 2 percent add-on for funding of title IV with a 2 percent setaside. The compromise was accepted, and provides that for each of fiscal years 1985, '86, '87 and '88, title IV would automatically receive 2 percent of the amounts appropriated for titles I, II and III.

For new titles V, Foreign Language Materials Acquisition, and VI, Library Literacy Programs, \$1,000,000 and \$5,000,000, respectively, would be authorized for each of fiscal years 1985, '86, '87 and '88.

Forward Funding A new subsection to section 4 has been added which both Reps. Coleman and John Erlenborn (R-IL) attempted unsuccessfully to remove:

"(d) (1) For the purpose of affording adequate notice of funding available under this Act, appropriations under this Act are authorized to be included in an appropriation Act for the fiscal year preceding the fiscal year for which they are first available for obligation.

"(2) In order to effect a transition to the advance funding method of timing appropriation action, the provisions of this subsection shall apply notwithstanding that its initial application will result in the enactment in the same year (whether in the same appropriation Act or otherwise) of two separate appropriations, one for the then current fiscal year and one for the succeeding fiscal year.

Administrative Cost The current section 8 would be amended to read:

"Sec. 8. A State may expend funds received under titles I and II for administrative costs in connection with programs and activities carried out under titles I, II, and III, but such administrative expenditures under such titles for any fiscal year may not exceed the greater of (1) 5 per centum of the sum of the amounts allotted to such State under such titles for such fiscal year, or (2) \$50,000.

As introduced, HR 2878 specified that administrative costs should come from title I, and added the \$50,000 minimum. The addition of title II was an amendment offered in full committee markup by Rep. Coleman to permit states to use title II funds rather than title I funds for administrative expenses associated with construction or renovation of public library facilities.

Title I, Library Services. An additional priority would be added to state plans: "increase services and access to services through effective use of technology."

Under areas to be included in annual programs, the draft's "for establishing libraries as community information centers and for providing for technological and literacy training for the public" has been changed to read as follows:

"(3) for assisting libraries to serve as community information and referral centers;

(4) for assisting libraries in providing literacy programs for adults and school dropouts in cooperation with other agencies and organizations, if appropriate;"

Concerning the required maintenance of effort for state institutional library services and library services to the physically handicapped, the draft allowed a ratable reduction to the extent that the institutional population declined. HR 2878 replaces that provision with a ratable reduction "to the extent that Federal allocations to the State are reduced".

Title II, Public Library Construction. The federal share of any construction project would be reduced from two-thirds in the draft to one-half in HR 2878.

Title III, Interlibrary Cooperation and Resource Sharing. Numerous changes from the draft would give states greater flexibility in implementing the new resource sharing plan. Instead of requiring immediate compliance, state programs should be "directed toward eventual compliance." Any type of library could be reimbursed for loaning materials to public libraries. The draft's maintenance of effort requirement for title III is dropped in HR 2878. The bill's title III amendments are quoted in full:

Sec. 13. (a) The heading of title III of the Act is amended by inserting "AND RESOURCE SHARING" after "INTERLIBRARY COOPERATION".

(b) Section 301 of the Act is amended--

(1) by striking out "section 6 and" and inserting in lieu thereof "section 6,"; and

(2) by inserting before the period at the end thereof a comma and the following: "and have submitted long-range and annual programs which are directed toward eventual compliance with the requirements of section 304".

(c) Section 303 of the Act is amended by inserting "shall comply with the requirements of section 304," after "by regulation and" in the second sentence.

(d) Title III of the Act is further amended by adding at the end thereof the following new section:

"RESOURCE SHARING

"Sec. 304. (a) The long-range program and annual program of each State shall include a statewide resource sharing plan which is directed toward eventual compliance with the provisions of this section.

"(b) In developing the State basic and long-range programs, the State library agency with the assistance of the State advisory council on libraries shall consider recommendations from current and potential participating institutions in the interlibrary and resource sharing programs authorized by this title.

"(c) The State's long-range program shall identify interlibrary and resource sharing objectives to be achieved during the period covered by the basic and long-range plans required by section 6 and shall include --

"(1) criteria for participation in statewide resource sharing to ensure equitable participation by libraries of all types that agree to meet requirements for resource sharing;

"(2) an analysis of the needs for development and maintenance of bibliographic access, including data bases for monographs, serials, and audiovisual materials;

"(3) an analysis of the needs for development and maintenance of communications systems for information exchange among participating libraries;

"(4) an analysis of the needs for development and maintenance of delivery systems for exchanging library materials among participating libraries;

"(5) a projection of the computer and other technological needs for resource sharing;

"(6) an identification of means which will be required to provide users access to library resources, including collection development and maintenance in major public, academic, school, and private libraries serving as resource centers;

"(7) a proposal, where appropriate, for the development, establishment, demonstration, and maintenance of intrastate multitype library systems;

"(8) an analysis of the State's needs for development and maintenance of links with State and national resource sharing systems; and

"(9) a description of how the evaluations required by section 6(d) will be conducted.

"(d) Libraries participating in resource sharing activities under this section may be reimbursed for their expenses in loaning materials to public libraries."

Title IV, Library Services for Indian Tribes. Funds for special project grants are to be administered by a librarian, not by an "accredited" librarian as in the draft.

Title V, Foreign Language Materials Acquisition. A new title in HR 2878 as follows:

"Sec. 501. (a) The Secretary shall carry out a program of making grants from sums appropriated pursuant to section 4(a)(5) to State and local public libraries for the acquisition of foreign language materials.

"(b) Recipients of grants under this title shall be selected on a competitive basis.

"(c) No grant under this title for any fiscal year shall exceed \$15,000.

Title VI, Library Literacy Programs. A new title in HR 2878 as follows:

"Sec. 601. (a) The Secretary shall carry out a program of making grants from sums appropriated pursuant to section 4(a)(6) to State and local public libraries for the purposes of supporting literacy programs.

"(b) Grants to State public libraries under this title shall be for the purposes of--

"(1) coordinating and planning library literacy programs; and

"(2) making arrangements for training librarians and volunteers to carry out such programs.

"(c) Grants to local public libraries shall be for the purposes of--

"(1) promoting the use of the voluntary services of individuals, agencies, and organizations in providing literacy programs;

"(2) acquisition of materials for literacy programs; and

"(3) using library facilities for such programs.

"(d) Recipients of grants under this title shall be selected on a competitive basis.

"(e) No grant under this title for any fiscal year shall exceed \$25,000."