



Access to Paper Currency by Visually Impaired Individuals: *The American Council of the Blind v. Paulson*

name redacted
Legislative Attorney

January 7, 2011

Congressional Research Service

7-....

www.crs.gov

R41579

Summary

In May 2008, the United States Court of Appeals for the District of Columbia issued a decision in *The American Council of the Blind v. Paulson*. The D.C. Court of Appeals affirmed the lower court's holding that the U.S. Department of the Treasury violated Section 504 of the Rehabilitation Act of 1973 by issuing paper currency in denominations that people with visual impairments cannot readily identify. Specifically, the court ruled that the current design of U.S. banknotes denies people with visual impairments meaningful access to the benefits of using U.S. currency. Furthermore, the Treasury Department was not exempted from liability on the grounds that accommodating the plaintiffs' disabilities would impose an undue burden. The court found that Treasury failed to substantiate its claims about the financial cost of achieving Section 504 compliance and the poor durability of certain proposed remedial tactile features.

The Department of Treasury did not appeal the circuit court's decision. The case was remanded for consideration of an appropriate remedy, and, on October 3, 2008, the district court issued an injunction order. The injunction order required the Department of Treasury to make changes to accommodate people with visual impairments by the time the next currency redesign is approved.

On May 20, 2010, the Bureau of Engraving and Printing (BEP) within the Department of Treasury published a notice of proposed action in the *Federal Register*. The notice identifies changes that BEP proposes to make to U.S. currency to accommodate people who are visually impaired. These changes are (1) developing and deploying a raised tactile feature as part of the next currency redesign; (2) adding large, high-contrast numerals and different and distinct color schemes to each denomination; and (3) implementing a "Supplemental Currency Reader Program" to provide electronic currency readers to people with visual impairments.

In comments submitted to BEP, the American Council of the Blind expressed concern over the institution of the Supplemental Currency Reader Program. The Council urged BEP, *inter alia*, to provide specific details about the timelines for implementing the accessible features on the currency itself and establish performance specifications for readers that are distributed through the program. The Council also strongly opposed BEP's proposed eligibility requirements for the reader program, contending that they unnecessarily restricted the types of professionals who could verify a person's eligibility for a currency reader. Under the proposed regulation, only certain nurses and doctors would be authorized to verify a person's eligibility for a currency reader. The Council would like a variety of other professionals to be authorized as well, including social workers and professional staff at hospitals and other institutions.

Contents

Introduction	1
<i>American Council of the Blind v. Paulson</i>	2
Background	2
Plaintiffs Lack Meaningful Access to U.S. Currency	4
Reasonable Accommodations Would Not Impose an Undue Burden	5
Recent Developments.....	6

Contacts

Author Contact Information	8
----------------------------------	---

Introduction

Section 504 of the Rehabilitation Act of 1973¹ prohibits discrimination against people with disabilities in programs or activities receiving federal financial assistance or under any program or activity conducted by an executive agency or the U.S. Postal Service.² The core requirement of Section 504 is articulated in subsection (a), which states:

No otherwise qualified individual with a disability in the United States, as defined in section 705(20), shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service....³

The purpose of the Rehabilitation Act is to ensure that individuals with disabilities can be independent and fully participate in society.⁴ The act seeks to empower individuals with disabilities by maximizing “employment, economic self-sufficiency, independence, and inclusion and integration into society, through ... the guarantee of equal opportunity.”⁵ However, tension may arise between giving full effect to these statutory objectives and ensuring that Section 504 compliance remains practicable for federal agencies and grantees.⁶

To prove a violation of Section 504 of the Rehabilitation Act, a plaintiff must show that (1) the program or activity is carried out by a federal executive agency or with federal funds; (2) the plaintiff is disabled within the meaning of the Rehabilitation Act; (3) he is otherwise qualified; and (4) he was excluded from, denied the benefit of, or subject to discrimination under the program or activity.⁷ A defendant in a Section 504 suit may assert as an affirmative defense to liability that accommodating the plaintiff’s disability would constitute an “undue burden.”⁸

In 1985, the U.S. Supreme Court held in *Alexander v. Choate* that a federal agency or grantee who denies an otherwise qualified plaintiff “meaningful access” to the program or benefit it provides has excluded the plaintiff from the program, denied the plaintiff its benefits, and/or discriminated against the plaintiff within the meaning of Section 504.⁹ Moreover, the Court stated that to afford meaningful access to people with disabilities, a federal agency or grantee might be required to make “reasonable accommodations.”¹⁰ Although *Choate* was the first case to construe the nondiscrimination prong of Section 504 as requiring meaningful access, the Court ruled

¹ 29 U.S.C. §794.

² For a discussion of Section 504 of the Rehabilitation Act of 1973, see CRS Report RL34041, *Section 504 of the Rehabilitation Act of 1973: Prohibiting Discrimination Against Individuals with Disabilities in Programs or Activities Receiving Federal Assistance*, by (name redacted).

³ 29 U.S.C. §794(a).

⁴ *Id.* at §701(b)(1).

⁵ *Id.*

⁶ See *Alexander v. Choate*, 469 U.S. 287, 299 (1985).

⁷ *Lovell v. Chandler*, 303 F.3d 1039, 1052 (9th Cir. 2002); *Doherty v. S. Coll. of Optometry*, 862 F.2d 570, 573 (6th Cir. 1988).

⁸ *M.P. ex rel K. v. Indep. Sch. Dist. No. 721*, 326 F.3d 975, 982 (8th Cir. 2003). See *Se. Cmty Coll. v. Davis*, 442 U.S. 397, 412-13 (1979).

⁹ *Alexander v. Choate*, 469 U.S. 287, 301 (1985) (emphasis added).

¹⁰ *Id.*

against the plaintiffs in *Choate*. The plaintiffs argued that Tennessee’s decision to reduce the number of days of inpatient care paid for by Medicaid denied Medicaid recipients with disabilities meaningful access to Medicaid and hospital services because they spent, on average, more days receiving inpatient care than their nondisabled peers. The Court found that despite Tennessee’s change in policy, Tennessee continued to provide people with and without disabilities “identical” access to Medicaid covered inpatient care. Accordingly, while *Choate* remains the source of the meaningful access standard, the case illustrates that practices or policies with a disparate impact on people with disabilities do not, *ipso facto*, violate Section 504.

The Court in *Choate* also noted that Section 504 does not require federal agencies and grantees to provide people with disabilities meaningful access to their programs and activities at the expense of their programs’ integrity.¹¹ The Court quoted its holding in *Southeastern Community College v. Davis*,¹² which established that Section 504 does not require a federal grantee “to make ‘fundamental’ or ‘substantial’ modifications to accommodate the handicapped, [but] it may be required to make ‘reasonable’ ones.”¹³ As a reflection of this jurisprudence, Department of Treasury regulations state that the department is not required to take actions to comply with Section 504 when doing so would result in a fundamental alteration of a program or in undue financial and administrative burdens.¹⁴

American Council of the Blind v. Paulson

Background

A 1995 National Research Council study concluded that more than 3.7 million Americans experience low vision and, as a result, have difficulty identifying U.S. banknotes due to their virtually uniform size, color, and general design.¹⁵ This difficulty, the study found, prevented visually impaired individuals from fully participating in society because they cannot “conveniently and confidentially exchange currency in everyday transactions,” such as those required to use public transportation or make purchases.¹⁶

Relying in part on the findings of that study, the American Council of the Blind and two individuals with visual impairments (collectively “the Council”) sued the Secretary of the Treasury of the United States, Henry Paulson, in U.S. District Court for the District of Columbia in 2002.¹⁷ The Council alleged that the Department of Treasury violated Section 504 of the

¹¹ *Id.* at 300.

¹² *Se. Cmty Coll. v. Davis*, 442 U.S. 397, 412 (1979). In *Davis*, the Supreme Court considered whether Section 504 required the defendant, a federally funded nursing school, to make the adjustments that would be required to permit a hearing impaired applicant to attend. The Court held that refusing the plaintiff admission did not constitute a violation of Section 504 because the accommodations would amount to a “fundamental alteration” of the nature of the program, which the Court ruled is not required by the Rehabilitation Act. *Id.* at 409-410.

¹³ *Choate*, 469 U.S. at 300 (quoting *Davis*, 442 U.S. at 412-13).

¹⁴ 31 C.F.R. §17.150(a)(2).

¹⁵ COMM. ON CURRENCY FEATURES USABLE BY THE VISUALLY IMPAIRED, NAT’L RESEARCH COUNCIL, CURRENCY FEATURES FOR VISUALLY IMPAIRED PEOPLE 1 (Nat’l Acad. Of Sciences 1995).

¹⁶ *Id.*

¹⁷ *Am. Council of the Blind v. Paulson*, 463 F. Supp.2d 51 (D. D.C. 2006), *aff’d*, *Am. Council of the Blind v. Paulson*, 525 F.3d 1256 (D.C. Cir. 2008).

Rehabilitation Act by issuing banknotes that were not readily identifiable for people with visual disabilities.¹⁸ It sought declaratory and injunctive relief to prohibit the Department of Treasury from continuing to manufacture notes greater than \$1 in their present format and to require the Treasury Department to create and implement a corrective action plan.¹⁹ The department acknowledged that the physical design of U.S. dollars made it difficult for blind and visually impaired individuals to independently identify denominations. However, it also contended that these individuals were not denied the benefit of meaningful access to U.S. currency and, even if they were, requiring the Treasury to make modifications would unduly burden the department. These were the only two issues contested.

Both the plaintiffs and the Department of Treasury moved for summary judgment.²⁰ The U.S. district court concluded that (1) the Council met its burden to show that the visually impaired are denied meaningful access to U.S. paper currency;²¹ and (2) the Department of Treasury had failed to meet its burden to demonstrate that no effective accommodation could be implemented without imposing an undue burden on the department.²² Accordingly, the district court granted the Council's motion for summary judgment in part and denied Treasury's motion. However, the court did not order the Treasury Department to follow a particular plan or design change to achieve compliance with the Rehabilitation Act. Instead, the court ordered a status conference with both parties for the purpose of discussing the appropriate remedy.²³

Before a final remedy was ordered, the Department of Treasury appealed the ruling to the United States Court of Appeals for the District of Columbia. The Council opposed the petition for interlocutory appeal, arguing that the Treasury Department's contentions regarding the burden of accommodating the plaintiffs were purely hypothetical in the absence of a determined remedy.²⁴ However, the D.C. Court of Appeals accepted the appeal, reasoning that reviewing the case before injunctive relief was issued would prevent both the court system and the Department of Treasury from expending resources unnecessarily.²⁵ For the reasons discussed below, the D.C. Circuit Court affirmed the district court's grant of summary judgment and remanded the case for the district court to address the Council's request for injunctive relief.²⁶

¹⁸ *Am. Council of the Blind*, 463 F. Supp.2d at 53.

¹⁹ *Id.* at 62. The Department of Treasury is not permitted to use appropriated funds to redesign the \$1 note. Financial Services and General Government Appropriations Act of 2010, P.L. 111-117, § 111, 123 Stat. 3159, 3166 (2009). *See also* Financial Services and General Government Appropriations Act of 2009, P.L. 111-8, § 133, 123 Stat. 630, 637 (2009). One dollar bills account for roughly half of all U.S. currency printed each year.

²⁰ Under Rule 56 of the Federal Rules of Civil Procedure, a motion for summary judgment is granted if the movant shows that there is no genuine dispute of material fact and that the movant is entitled to judgment as a matter of law. A court of appeals reviewing a grant of summary judgment does so *de novo*, applying the same standards as the lower court. *Am. Council of the Blind*, 525 F.3d at 1266; *Tao v. Freeh*, 27 F.3d 635, 638 (D.C. Cir. 1994).

²¹ *Am. Council of the Blind*, 463 F. Supp.2d at 59.

²² *Id.* at 60.

²³ *Id.* at 62.

²⁴ *Am. Council of the Blind*, 525 F.3d at 1265.

²⁵ *Id.* ("Were we to conclude that the Secretary should have prevailed on summary judgment, our consideration of this matter would eliminate the need for further proceedings and preserve judicial resources. On the other hand, were we to conclude that the district court properly granted partial summary judgment for the Council, our consideration of this matter would eliminate uncertainty about liability before the Secretary invests resources in determining how best to come into compliance with section 504.").

²⁶ *Am. Council of the Blind*, 525 F.3d at 1275. *See also* *Am. Council of the Blind v. Paulson*, 581 F.Supp.2d 1 (D.D.C. 2008).

Plaintiffs Lack Meaningful Access to U.S. Currency

The D.C. Circuit first considered whether the lower court was correct to hold that the Department of Treasury discriminated against people with visual impairments in violation of Section 504 of the Rehabilitation Act. Because the Treasury Department conceded three of the four elements of Section 504 liability,²⁷ the D.C. Circuit focused on the fourth prong—that is, whether visually impaired individuals are denied meaningful access to U.S. paper currency.

Choate established that Section 504 of the Rehabilitation Act requires federal agencies and grantees to provide “an otherwise qualified handicapped individual ... with *meaningful access* to the benefit that the grantee offers.”²⁸ When meaningful access is denied, a federally funded program might be required to make “reasonable accommodations,” but there is no denial of meaningful access when people both with and without disabilities have “identical and effective” access to the benefit or services provided.²⁹ Since *Choate*, courts have determined whether a federal agency or grantee provides an otherwise qualified individual with meaningful access to the benefit or program at issue on a case-by-case basis.³⁰

On appeal to the D.C. Circuit, the Treasury Department argued that people with visual impairments are denied meaningful access to the benefits of U.S. currency only if they are unable in all circumstances to accurately identify paper money without assistance.³¹ The court disagreed, stating that this construction of *Choate*’s meaningful access test lacked a “legal foundation.”³² The court cited precedent in which plaintiffs with disabilities were denied meaningful access to government programs because they were forced to take extreme measures, such as crawling, to access government services.³³ These cases, the D.C. Circuit wrote, suggest that the plaintiffs are denied meaningful access to U.S. currency if their access to U.S. banknotes is impeded.³⁴

The court also rejected the Treasury Department’s assertion that individuals with visual impairments have meaningful access to U.S. banknotes. The department advanced two theories in support of this argument. First, it claimed that in the absence of evidence that visually impaired individuals are “frequently defrauded,” the court should presume that they have meaningful

²⁷ *Id.* at 1266. Namely, the Secretary did not contest that (1) the plaintiffs were disabled within the meaning of the Rehabilitation Act; (2) the plaintiffs were otherwise qualified to use U.S. currency; and (3) the U.S. currency program is carried out by a federal executive agency.

²⁸ *Choate*, 469 U.S. at 301 (emphasis added).

²⁹ *Id.* at 301, 302 (explaining that meaningful access to state Medicaid services would not be denied because “[t]he reduction in inpatient coverage will leave both handicapped and nonhandicapped Medicaid users with *identical and effective* hospital services fully available for their use, with both classes of users subject to the same durational limitation. The 14-day limitation, therefore, does not exclude the handicapped from or deny them the benefits of the 14 days of care the state has chosen to provide.” (emphasis added)).

³⁰ *See Am. Council of the Blind*, 525 F.3d at 1267.

³¹ *Id.* at 1271.

³² *Id.* at 1270.

³³ *Id.* at 1269, 1270 (citing *Tennessee v. Lane*, 541 U.S. 509 (2004) (finding that a plaintiff who crawled up two flights of stairs to reach a state courtroom but, at a later court date, refused to either crawl or be carried into the courtroom, was denied meaningful access to the court system) and *Chaffin v. Kansas State Fair Bd.*, 348 F.3d 850 (10th Cir. 2003) (finding that plaintiffs who were able to visit state fairgrounds but could not physically access food, restroom, or the viewing area for the stage were denied meaningful access to the fairgrounds)).

³⁴ *Am. Council of the Blind*, 525 F.3d at 1267.

access to U.S. paper currency.³⁵ However, the court dismissed this contention as “astounding” on its face.³⁶

The department’s second theory was that people with visual impairments have meaningful access to cash transactions because they can use certain techniques and technology to identify U.S. banknotes.³⁷ For example, the Treasury Department claimed that people with visual impairments could identify dollar denominations effectively by asking sighted persons for assistance during transactions, using portable electronic readers to identify bills, keeping differing denominations folded in distinct ways, and/or using methods of cashless payments (i.e., credit and/or debit cards).³⁸

The court disagreed. Dependence on third parties, it wrote, “is anathema to the stated purpose of the Rehabilitation Act and places the visually impaired at a distinct disadvantage ... they are compelled to rely on the honesty and carefulness of sighted individuals.”³⁹ Similarly, the court reasoned that conditioning access to paper currency on a person’s ability to spend substantial sums of money on technological devices amounted to a denial of meaningful access.⁴⁰ For support, the court cited a Second Circuit decision rejecting a defendant’s argument that, in the absence of American Sign Language interpreters, deaf parents had meaningful access to school activities because they could pay for their own interpreters.⁴¹ Finally, the court wrote that credit cards do not provide the plaintiffs with meaningful access to paper currency because they are not universally accepted substitutes for cash.⁴² Even if credit cards became universally accepted, the court found that they would not provide visually impaired individuals with access to transactions in which they, perhaps as store employees, received cash from another person.⁴³ The court concluded that the plaintiffs did not enjoy meaningful access to U.S. currency.⁴⁴

Reasonable Accommodations Would Not Impose an Undue Burden

Having determined that the Department of Treasury violated the nondiscrimination provision of the Rehabilitation Act, the D.C. Circuit turned to the one issue remaining: whether Treasury’s noncompliance was justified because effectively accommodating the plaintiffs’ disabilities would impose an undue burden on the department.⁴⁵ Compliance with Section 504 is deemed unduly burdensome if, given the defendant’s resources, the costs associated with compliance outweigh its benefits.⁴⁶

³⁵ *Id.* at 1270.

³⁶ *Id.*

³⁷ *Id.* at 1268.

³⁸ *Id.*

³⁹ *Am. Council of the Blind*, 525 F.3d at 1270.

⁴⁰ *Id.* at 1270. The cost of the portable electronic reader was \$270 and was not guaranteed to correctly identify \$20 bills. *Id.* at 1263.

⁴¹ *Id.* at 1270 (citing *Rothschild v. Grottenthaler*, 907 F.2d 286, 291 (1990)).

⁴² *Id.*

⁴³ *Id.* People with visual impairments would also still need to rely on third persons to verify the charged amounts stated on the receipts. *Id.*

⁴⁴ *Am. Council of the Blind*, 525 F.3d at 1269.

⁴⁵ *Id.* at 1266.

⁴⁶ *See id.* at 1271 n. 18. *See also* *Borkowski v. Valley Central Sch. Dist.*, 63 F.3d 131, 139 (10th Cir. 1995) (“[U]ndue’ (continued...)”).

The Treasury Department argued that, by granting the plaintiffs' motion for summary judgment, the district court had categorically validated the Council's proposed accommodations without assessing whether any one of those accommodations would impose an undue burden on the department.⁴⁷ It contended that the court should have analyzed each of the accommodations that was recommended and found, at the least, that the most expensive of those accommodations constituted an undue burden.⁴⁸ However, the D.C. Circuit described this assertion as a misstatement of the law: "liability under Section 504," the court wrote, "requires only that the *least* burdensome accommodation not be unduly burdensome."⁴⁹

The D.C. Circuit also found that the Department of Treasury had invited the lower court's categorical approach by failing to present evidence rebutting the reasonableness of each of the accommodations that the Council proposed.⁵⁰ The department had opted to present evidence in the lower court that suggested that implementing *any* accommodation would impose an undue burden on Treasury.⁵¹ The district court found this evidence deficient for a variety of reasons,⁵² and the department did not challenge that finding on appeal.⁵³

Recent Developments

The Department of Treasury did not appeal the D.C. Circuit's decision in *American Council of the Blind*. On remand, the district court granted the Council's request for injunctive relief.⁵⁴ Pursuant to the terms of the district court's October 3, 2008, injunction order, Treasury is required to

(...continued)

hardship, like 'reasonable' accommodation, is a relational term; as such, it looks not merely to the costs that the employer is asked to assume, but also to the benefits to others that will result.").

⁴⁷ *Am. Council of the Blind*, 525 F.3d at 1271.

⁴⁸ *Id.*

⁴⁹ *Id.* (emphasis added).

⁵⁰ *See id.* (noting that because the Secretary failed to demonstrate that all of the accommodations would pose an undue burden, the D.C. Circuit did not need to address any particular accommodation).

⁵¹ *Id.* at 1271-72, 1274.

⁵² The Secretary had presented substantial financial evidence to support his argument that modifying U.S. paper currency in line with the Council's recommendations would impose an undue burden on the Department of Treasury. *Am. Council of the Blind*, 463 F. Supp.2d at 60-62. However, the district court found that this evidence was deficient because it was based on inflated cost estimates and unsupported claims about the durability of tactile features such as embossment. *Id.* The Secretary also argued that alteration of the size of denominations could impose undue burdens on third parties because they might require changes to, *inter alia*, vending machines and cash registers. *Id.* at 60. Third party considerations are not usually included in a Section 504 undue burden analysis, but the D.C. Circuit wrote that, assuming they were relevant, the Secretary had nevertheless failed to present sufficient evidence in support of these claims. *Am. Council of the Blind*, 525 F.3d at 1273.

⁵³ *Am. Council of the Blind*, 525 F.3d at 1271-72, 1274. Judge Randolph, in a dissenting opinion, suggested that the majority had misinterpreted the department's arguments on appeal. *Id.* at 1275-76 (Randolph, J., dissenting). In Judge Randolph's view, the Treasury Department had presented evidence that many of the accommodations that the lower court validated would not be effective. *Id.* at 1276. In particular, Judge Randolph wrote that the department had shown that embossment might lack the requisite durability and that microperforation might not be readily identifiable by people with visual impairments. *Id.* He contended that the studies cited in support of these claims raised a material question of fact as to whether an effective accommodation could be implemented without imposing an undue burden on the Treasury Department. *Id.*

⁵⁴ *Am. Council of the Blind*, 581 F.Supp.2d at 2.

complete changes to each denomination no later than the date when the Secretary next approves a redesign for that denomination.⁵⁵

On May 20, 2010, the Bureau of Engraving and Printing (BEP) within the Department of Treasury published a notice of proposed action identifying the accommodations that it is considering in the wake of *American Council of the Blind*.⁵⁶ BEP stated that it will (1) develop and deploy a raised tactile feature as part of the next currency redesign; (2) continue its practice of adding large, high-contrast numerals and different and distinct color schemes to each denomination; and (3) implement a “Supplemental Currency Reader Program” to provide electronic currency readers to people with visual impairments.⁵⁷ Comments on BEP’s proposals were due no later than August 18, 2010.

The American Council of the Blind submitted comments expressing overall satisfaction with BEP’s plan, particularly with its proposal to incorporate raised tactile features into U.S. currency.⁵⁸ However, the Council had concerns with the substance of—and eligibility requirements for—the currency reader distribution program. The Council contended that interim measures, such as the proposed reader program, have a history of becoming permanent substitutes for the originally envisioned program, and, should this happen with the reader program, the Treasury would fail to make U.S. currency meaningfully accessible to visually impaired individuals.

The Council listed several reasons why distributing currency readers will not make currency denominations readily distinguishable to people with visual impairments. For one, currency readers must be operated with both hands, which, the Council wrote, prevents users from being able to keep their wallet safely in their hands while denominating. In addition, bills must be fed into the devices one at a time, which can place users in the uncomfortable situation of having to publicly reveal how much money is on their person while also holding up the line behind them. A third concern is that if a person’s currency reader is damaged, lost, stolen, or experiencing a technological glitch, the user has no means of identifying currency denominations. In light of these concerns, the Council urged BEP to provide specific details about the timelines for implementing the accessible features on the currency itself and establish performance specifications for devices that are distributed through the currency reader program.

The Council also strongly opposed BEP’s suggested eligibility requirements for the currency reader program. BEP proposed to distribute readers to people who provide documentation verifying that they need a reader to accurately identify the denomination of U.S. banknotes. This verification must be provided by a “competent authority,” namely a registered nurse, licensed practical nurse, or doctor of medicine, osteopathy, or optometry.⁵⁹ The Council asserted that this proposed definition of “competent authority” is too limiting. It urged BEP to use the definition of

⁵⁵ OFFICE OF INSPECTOR GENERAL, DEPARTMENT OF THE TREASURY, AUDIT OF THE DEPARTMENT OF THE TREASURY’S SPECIAL-PURPOSE FINANCIAL STATEMENTS FOR FISCAL YEARS 2009 AND 2008 65 (January 7, 2010), available at <http://www.treas.gov/inspector-general/audit-reports/2010/oig10029.pdf>.

⁵⁶ Meaningful Access to United States Currency for Blind and Visually Impaired Persons, 75 Fed. Reg. 28331 (proposed May 20, 2010).

⁵⁷ *Id.* BEP did not propose changes to the \$1 bill. See *supra* note 19 and accompanying text (explaining that the Department of Treasury is, in fact, not permitted to use appropriated funds to redesign the \$1 note).

⁵⁸ Letter from Jeffrey A. Lovitky, Attorney, American Council of the Blind, to Larry R. Felix, Director, Bureau of Engraving and Printing (August 10, 2010).

⁵⁹ 75 Fed. Reg. at 28333.

“competent authority” that the Library of Congress uses to determine who is qualified to benefit from its program for loaning Library materials to the blind.⁶⁰ If BEP adopts the Library of Congress’s definition of competent authority, applicants for currency readers could obtain verification from a broader range of sources, including, *inter alia*, therapists, social workers, case workers, and rehabilitation teachers.⁶¹

Author Contact Information

(name redacted)
Legislative Attorney
[redacted]@crs.loc.gov, 7-....

⁶⁰ Letter from Jeffrey A. Lovitky, *supra* note 58, at 8 (citing 36 C.F.R. § 701.6).

⁶¹ 36 C.F.R. § 701.6(b)(2)(i).

EveryCRSReport.com

The Congressional Research Service (CRS) is a federal legislative branch agency, housed inside the Library of Congress, charged with providing the United States Congress non-partisan advice on issues that may come before Congress.

EveryCRSReport.com republishes CRS reports that are available to all Congressional staff. The reports are not classified, and Members of Congress routinely make individual reports available to the public.

Prior to our republication, we redacted names, phone numbers and email addresses of analysts who produced the reports. We also added this page to the report. We have not intentionally made any other changes to any report published on EveryCRSReport.com.

CRS reports, as a work of the United States government, are not subject to copyright protection in the United States. Any CRS report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS report may include copyrighted images or material from a third party, you may need to obtain permission of the copyright holder if you wish to copy or otherwise use copyrighted material.

Information in a CRS report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to members of Congress in connection with CRS' institutional role.

EveryCRSReport.com is not a government website and is not affiliated with CRS. We do not claim copyright on any CRS report we have republished.