

shall keep in the mints and assay offices, when possible, money and bullion the Secretary decides are convenient and necessary.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 987.)

#### HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
5122(a) .....	31:273(last sentence).	R.S. §3506(last sentence).
	31:331.	R.S. §3523.
5122(b) .....	31:334.	R.S. §3525.
	31:332.	R.S. §3524; Jan. 14, 1875, ch. 15, §2(words before comma), 18 Stat. 296; Mar. 1, 1881, ch. 95, 21 Stat. 374; Mar. 3, 1887, ch. 396, §3, 24 Stat. 635.
5122(c) .....	31:357.	R.S. §3544.
	31:358(2d sentence).	R.S. §3545; June 19, 1878, ch. 329, §1(last par. 1st sentence words before 1st semicolon under heading "Mint at Denver, Colorado"), 20 Stat. 191.
5122(d) .....	31:358(1st, last sentences).	

In subsection (a), the words "Secretary of the Treasury" are substituted for "he" in 31:273(last sentence) because of the source provisions restated in section 321 of the revised title. The words "fineness, weight, and value of each deposit and bar" and "The value and the amount of charges . . . shall be based on the fineness and weight of the bullion" are substituted for "From the report of the assayer and the weight of the bullion" for clarity and because of the restatement. The words "or deductions, if any" are omitted as being included in "charges". The word "money" is substituted for "in coins" for clarity. The text of 31:331 and 334 is omitted as unnecessary because of the restatement. The text of 31:273(last sentence words after 7th comma) is omitted because of the source provisions restated in section 321 of the revised title.

In subsection (b), the words "Secretary shall impose a charge" are substituted for "shall be fixed, from time to time, by the director, with the concurrence of the Secretary of the Treasury" because of the source provisions restated in section 321(c) of the revised title. The words "for toughening when metals are contained in it which render it unfit for coinage" are omitted as obsolete because the Secretary of the Treasury has authority to mint coins containing silver only under section 5112(e) of the revised title and the Secretary holds sufficient silver to mint those coins. See Sen. Rept. No. 91-1084 (1970).

In subsection (c), the words "person designated by the depositor" are substituted for "his order" for clarity. The words "an unavoidable delay in determining the value of a deposit" are substituted for "delay in manipulating a refractory deposit, or for any other unavoidable cause" in 31:357 for clarity.

In subsection (d), the words "the Secretary to pay depositors" are substituted for "the several mints and assay offices of the United States to make returns to depositors" because of the source provisions restated in section 321(c) of the revised title. The words "when the state of the Treasury will admit thereof" are omitted as surplus. The words "under such rules and regulations as may be prescribed by the said Secretary" are omitted as unnecessary because of section 321(b) of the revised title. The text of 31:358(last sentence) is omitted as surplus.

### SUBCHAPTER III—UNITED STATES MINT

#### Editorial Notes

##### AMENDMENTS

1992—Pub. L. 102-390, title II, § 225(b)(5), Oct. 6, 1992, 106 Stat. 1630, substituted "UNITED STATES MINT" for "BUREAU OF THE MINT" in subchapter heading.

### § 5131. Organization

(a) The United States Mint has—

(1) a United States mint at Philadelphia, Pennsylvania.

(2) a United States mint at Denver, Colorado.

(3) a United States mint at West Point, New York.

(4) a United States mint at San Francisco, California.

(b) The Secretary of the Treasury shall carry out duties and powers related to refining and assaying bullion, minting coins, striking medals, and numismatic items at the mints. However, until the Secretary decides that the mints are adequate for minting and striking an ample supply of coins and medals, the Secretary may use any facility of the United States Mint to mint coins and strike medals and to store coins and medals.

(c) Laws on mints, officers and employees of mints, and punishment of offenses related to mints and minting coins apply to assay offices, as applicable.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 988; Pub. L. 100-274, § 2(a)-(c)(2), Mar. 31, 1988, 102 Stat. 48; Pub. L. 102-390, title II, §§ 224, 225(b)(3), (4), Oct. 6, 1992, 106 Stat. 1629; Pub. L. 104-208, div. A, title I, § 101(f) [title V, §§ 503, 522], Sept. 30, 1996, 110 Stat. 3009-314, 3009-344, 3009-347; Pub. L. 104-329, title III, § 304, Oct. 20, 1996, 110 Stat. 4015.)

#### HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
5131(a) .....	31:251(1st sentence words after 1st comma).	R.S. §343(1st sentence words after 1st comma).
	31:261.	R.S. §3495; restated July 11, 1962, Pub. L. 87-534, §1, 76 Stat. 155.
5131(b) .....	31:278.	R.S. §3553.
	31:283(1st sentence).	R.S. §3558(1st sentence); July 11, 1962, Pub. L. 87-534, §2, 76 Stat. 155; restated July 23, 1965, Pub. L. 89-81, §201, 79 Stat. 256.
	31:324f.	Oct. 18, 1973, Pub. L. 93-127, §3, 87 Stat. 456.
	31:361(1st sentence words before 1st comma).	June 19, 1878, ch. 329, §1(1st sentence on p. 191), 20 Stat. 191.
5131(c) .....	31:263.	July 7, 1898, ch. 571(7th par. 1st sentence words before 1st comma under heading "Mints and Assay Offices"), 30 Stat. 661.
		R.S. §3496; Aug. 23, 1912, ch. 350, §1(last par. words before 7th comma under heading "Assay Office at Salt Lake City, Utah"), 37 Stat. 384.
	31:279.	R.S. §3554; Aug. 23, 1912, ch. 350, §1(last par. words before 7th comma under heading "Assay Office at Salt Lake City, Utah"), 37 Stat. 384.
	31:281.	R.S. §3555; Aug. 23, 1912, ch. 350, §1(last par. words before 7th comma under heading "Assay Office at Salt Lake City, Utah"), 37 Stat. 384; June 6, 1972, Pub. L. 92-310, §231(g), 86 Stat. 210.
5131(d) .....	31:287.	R.S. §3562.
5131(e) .....	31:292.	Aug. 20, 1963, Pub. L. 88-102, §2, 77 Stat. 129.

In subsection (a), the words "The Bureau of the Mint has" are substituted for "embracing in its organization and under its control all mints . . . and all assay offices" in 31:251(1st sentence words after 1st comma) because of the restatement and to eliminate unnecessary words. The words "for the manufacture of coin . . . for

the stamping of bars, which have been, or which may be, authorized by law” are omitted as superseded by the source provisions restated in subsection (b).

In subsection (b), the words “The Secretary of the Treasury shall carry out duties and powers” are added because of the source provisions restated in section 321 of the revised title. The words “related to refining and assaying bullion, minting coins, striking medals, and numismatic items at the mints and assay offices” are substituted for 31:278(1st sentence words before comma), 283(1st–26th words), and 361(1st sentence words before 1st comma) to eliminate unnecessary words and for consistency with the source provisions restated in sections 5111(a)(1)–(3) and 5120(a) of the revised title. The words “and not coin” in 31:278 are omitted as unnecessary because of the restatement. The words “and no metals shall be purchased for minor coinage” are omitted as superseded by section 5111(b) of the revised title. The text of 31:278(2d, last sentences) is omitted as obsolete because the Secretary of the Treasury has authority to mint coins containing silver only under section 5112(e) of the revised title and the Secretary holds sufficient silver to mint those coins. See Sen. Rept. No. 91–1084 (1970). The words “except that until the Secretary of the Treasury determines that the mints of the United States are adequate for the production of ample supplies of coins, its facilities may be used for the production of coins” in 31:283(1st sentence) are omitted as superseded by the source provisions restated in the subsection. The words “striking” and “strike” are added for consistency with section 5111 of the revised title.

In subsection (c), the text of 31:281(words before semicolon) is omitted as superseded by the source provisions restated in section 321 of the revised title, and 31:281(words after semicolon) is omitted as superseded by the source provisions restated in subsection (d) and by 5:ch. 35, subch. II.

In subsection (e), the words “the mint at Philadelphia” are substituted for “any building constructed pursuant to this subchapter” because that is the building that was constructed under the subchapter.

### Editorial Notes

#### AMENDMENTS

1996—Subsecs. (c), (d). Pub. L. 104–208, § 101(f) [title V, §§ 503, 522], and Pub. L. 104–329, amended section identically, redesignating subsec. (d) as (c) and striking out former subsec. (c) which read as follows: “Each mint has a superintendent and an assayer appointed by the President, by and with the advice and consent of the Senate. The mint at Philadelphia has an engraver appointed by the President, by and with the advice and consent of the Senate.”

1992—Subsec. (a). Pub. L. 102–390, § 225(b)(3), substituted “United States Mint” for “Bureau of the Mint” in introductory provisions.

Subsec. (b). Pub. L. 102–390, § 225(b)(4), substituted “United States Mint” for “Bureau”.

Subsec. (e). Pub. L. 102–390, § 224, struck out subsec. (e) which read as follows: “The Secretary shall operate, maintain, and have custody of, the mint at Philadelphia. However, the Administrator of General Services shall make repairs and improvements to the mint.”

1988—Subsec. (a)(3). Pub. L. 100–274, § 2(b), substituted “mint at West Point, New York” for “assay office at New York, New York”.

Subsec. (a)(4). Pub. L. 100–274, § 2(a), substituted “mint” for “assay office”.

Subsec. (b). Pub. L. 100–274, § 2(c)(1), struck out “and assay offices, except that only bars may be made at the assay offices” before period at end of first sentence.

Subsec. (c). Pub. L. 100–274, § 2(c)(2), substituted “Each mint has” for “Each mint and the assay office at New York have”.

### Statutory Notes and Related Subsidiaries

#### AUTHORITY OF SPECIAL POLICE OFFICERS

For authority of special police officers of United States Mint over buildings and land under control and

in vicinity of the Mint and to protection in transit of bullion, coins, dies, and other property and assets of the Mint, see section 101(f) [title V, § 517(2), (3)] of Pub. L. 104–208, set out as a note under section 5141 of this title.

### § 5132. Administrative

(a)(1) Except as provided in this chapter, the Secretary of the Treasury shall deposit in the Treasury as miscellaneous receipts amounts the Secretary receives from the operations of the United States Mint. Expenditures made from appropriated funds which are subsequently determined to be properly chargeable to the Numismatic Public Enterprise Fund established by section 5134 shall be reimbursed by such Fund to the appropriation. The Secretary shall annually sell to the public, directly and by mail, sets of uncirculated and proof coins minted under paragraphs (1) through (6) of section 5112(a) of this title, and shall solicit such sales through the use of the customer list of the United States Mint. Except with respect to amounts deposited in the Numismatic Public Enterprise Fund in accordance with section 5134, the Secretary may not use amounts the Secretary receives from profits on minting coins or from charges on gold or silver bullion under section 5122 to pay officers and employees.

(2)(A) In addition to the coins described in paragraph (1), the Secretary shall sell annually to the public directly and by mail, sets of proof coins minted under paragraphs (1) through (6) of section 5112(a).

(B) Notwithstanding any other provision of law, for purposes of this paragraph—

(i) the coins described in paragraphs (2) through (4) of section 5112(a) shall be made of an alloy of not less than 90 percent silver; and

(ii) all coins minted under this paragraph shall have a mint mark indicating the place of manufacture.

(C) All coins minted under this paragraph shall be considered to be—

(i) numismatic items for purposes of paragraph (1) and section 5111(a)(3); and

(ii) legal tender, as provided in section 5103.

(D) The Secretary shall obtain silver for coins minted under this paragraph by purchase from stockpiles established under the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.). At such time as the silver stockpile is depleted, the Secretary shall obtain silver for such coins by purchase of silver mined from natural deposits in the United States or in a territory or possession of the United States not more than 1 year following the month in which the ore from which it is derived was mined. The Secretary shall pay not more than the average world price for such silver. The Secretary may issue such regulations as may be necessary to carry out this subparagraph.

(3) Not more than \$54,208,000 may be appropriated to the Secretary for the fiscal year ending on September 30, 1993, to pay costs of the mints. Not more than \$965,000 of amounts appropriated pursuant to the preceding sentence shall remain available until expended for research and development.

(b) To the extent the Secretary decides is necessary, the Secretary may use amounts received