

TERMINATION OF COINAGE PROFIT FUND AND COINAGE METAL FUND

All assets and liabilities of Coinage Profit Fund and Coinage Metal Fund transferred to United States Mint Public Enterprise Fund and both coinage funds to cease to exist as separate funds as their activities and functions are subsumed under and subject to United States Mint Public Enterprise Fund, see section 5136 of this title.

THRESHOLD FOR REQUIRING TAXPAYER IDENTIFICATION NUMBER

Pub. L. 112-74, div. C, title I, §117, Dec. 23, 2011, 125 Stat. 891, provided that: "In the current fiscal year and each fiscal year hereafter, any person who forwards to the Bureau of Engraving and Printing a mutilated paper currency claim equal to or exceeding \$10,000 for redemption will be required to provide the Bureau their taxpayer identification number."

§ 5121. Refining, assaying, and valuation of bullion

- (a) The Secretary of the Treasury shall—
 - (1) melt and refine bullion;
 - (2) as required, assay coins, metal, and bullion;
 - (3) cast gold and silver bullion deposits into bars; and
 - (4) cast alloys into bars for minting coins.

(b) A person owning gold or silver bullion may deposit the bullion with the Secretary to be cast into fine, standard fineness, or unrefined bars weighing at least 5 troy ounces. When practicable, the Secretary shall weigh the bullion in front of the depositor. The Secretary shall give the depositor a receipt for the bullion stating the description and weight of the bullion. When the Secretary has to melt the bullion or remove base metals before the value of the bullion can be determined, the weight is the weight after the melting or removal of the metals. The Secretary may refuse a deposit of gold bullion if the deposit is less than \$100 in value or the bullion is so base that it is unsuitable for the operations of the Bureau of the Mint.

(c) When the gold and silver are combined in bullion that is deposited and either the gold or silver is so little that it cannot be separated economically, the Secretary may not pay the depositor for the gold or silver that cannot be separated.

(d)(1) Under conditions prescribed by the Secretary, a person may exchange unrefined bullion for fine bars when—

- (A) gold and silver are combined in the bullion in proportions that cannot be economically refined; or
- (B) necessary supplies of acids cannot be procured at reasonable rates.

(2) The charge for refining in an exchange under this subsection may be not more than the charge imposed in an exchange of unrefined bullion for refined bullion.

(e) The Secretary shall prepare bars for payment of deposits. The Secretary shall stamp each bar with a designation of the weight and fineness of the bar and a symbol the Secretary considers suitable to prevent fraudulent imitation of the bar.

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

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
5121(a)	31:274.	R.S. §3508; Aug. 23, 1912, ch. 350, §1(last par. words before 7th comma under heading "Assay Office at Salt Lake City, Utah"), 37 Stat. 384.
	31:277.	R.S. §3507.
	31:330.	R.S. §3522.
	31:343.	R.S. §3530; Aug. 23, 1912, ch. 350, §1(last par. words before 7th comma under heading "Assay Office at Salt Lake City, Utah"), 37 Stat. 384.
5121(b)	31:344.	R.S. §3531; Aug. 23, 1912, ch. 350, §1(last par. words before 7th comma under heading "Assay Office at Salt Lake City, Utah"), 37 Stat. 384.
	31:325(words before 4th comma and after last comma).	R.S. §3518.
	31:327(1st sentence).	R.S. §3519.
5121(c)	31:328(1st sentence).	R.S. §3520; Mar. 3, 1887, ch. 396, §3, 24 Stat. 635.
	31:329.	R.S. §3521; Aug. 23, 1912, ch. 350, §1(last par. words before 7th comma under heading "Assay Office at Salt Lake City, Utah"), 37 Stat. 384.
	31:327(last sentence).	
5121(d)	31:328(last sentence).	
5121(e)	31:360.	R.S. §3546.
	31:362.	June 19, 1878, ch. 329, §1(2d sentence words after last semicolon on p. 191), 20 Stat. 191.
5121(e)	31:325(words between 4th and last commas).	R.S. §3534; Aug. 23, 1912, ch. 350, §1(last par. words before 7th comma under heading "Assay Office at Salt Lake City, Utah"), 37 Stat. 384.
	31:347.	

In the section, the word "Secretary" is substituted for "superintendent", "superintendent of melting and refining department", "assayer", "Director of the Mint", and "Director of the Mint, with the approval of the Secretary of the Treasury" because of the source provisions restated in section 321(c) of the revised title.

In subsection (a), clause (1) is added to provide a complete list of the duties and powers of the Secretary and for consistency with section 5131 of the revised title. In clause (2), the words "as required" are substituted for "required by the operations of the Bureau of the Mint" and "whenever required by the superintendent" in 31:277 to eliminate unnecessary words. The text of 31:330 is omitted as superseded by the source provisions restated in section 321(c) of the revised title. In clause (3), the word "bars" is substituted for "bars conformable in all respects to the law" in 31:274 to eliminate unnecessary words. In clause (4), the word "alloys" is substituted for "standard silver or gold, and alloys for minor" in 31:274, and the text of 31:343(last sentence) is omitted, because coins issued by the Secretary under this chapter are composed of alloys. The words "minting coins" are substituted for "coinage" for consistency in the revised chapter. The words "suitable for the superintendent of coining department, from the metals legally delivered to him for that purpose" in 31:274 and the text of 31:274(last sentence) and 31:343(1st, 2d sentences) are omitted as superseded by the source provisions restated in section 321(c) of the revised title. The text of 31:344(last sentence) is omitted as unnecessary because of the restatement of the source provisions in sections 5112 and 5113 of the revised title.

In subsections (b) and (d), the word "unrefined" is substituted for "unparted" for consistency in the revised chapter.

In subsection (b), the words "At the option of the owner" and "as he may prefer" in 31:325 and "for his benefit" in 31:327 are omitted as unnecessary because of the restatement. The words "weighing at least" are substituted for "and no such bars shall be issued of a

less weight than” in 31:325 to eliminate unnecessary words. The word “troy” is added for clarity. The words “into coin” in section 3519 of the Revised Statutes are omitted because the coinage of gold was discontinued by 31:315b. The text of 31:329(last sentence) is omitted because of the source provisions restated in section 321(c) of the revised title. The words “and no deposit of silver for other coinage shall be received” in 31:328(1st sentence) are omitted as unnecessary because of the restatement.

In subsection (c), the word “economically” is substituted for “advantageously” in 31:327(last sentence) for consistency in the section. The text of 31:328(last sentence) is omitted as unnecessary because of the source provisions restated in section 5121(a) of the revised title.

In subsection (d)(1), before clause (A), the words “at any of the mints” in 31:360(1st sentence) are omitted as superseded by the source provisions restated in section 321(c) of the revised title. The text of 31:360(2d sentence) is omitted as unnecessary because of the source provisions restated in section 5121(a) of the revised title.

In subsection (d)(2), the words “in an exchange under this subsection” are added for clarity. The word “refining” is substituted for “refining or parting” for consistency in the revised chapter.

In subsection (e), the word “suitable” is substituted for “expedient” in 31:325(words between 4th and last commas) for clarity. The words “but the fineness thereof shall be ascertained and” in 31:347 are omitted as unnecessary because of the source provisions restated in section 5121(a) of the revised title.

POSSESSION OF GOLD COINS AND BULLION

The possession of gold coins and bullion was prohibited except under Government license by Ex. Ord. No. 6260, eff. Aug. 28, 1933. That prohibition was revoked by Ex. Ord. No. 11825, Dec. 31, 1974, 40 F.R. 1003, eff. Dec. 31, 1974. See notes set out under section 95a of Title 12, Banks and Banking.

§ 5122. Payment to depositors

(a) The Secretary of the Treasury shall determine the fineness, weight, and value of each deposit and bar under section 5121 of this title. The value and the amount of charges under subsection (b) of this section shall be based on the fineness and weight of the bullion. The Secretary shall give the depositor a statement of the charges and the net amount of the deposit to be paid in money or bars of the same species of bullion as that deposited.

(b) The Secretary shall impose a charge equal to the average cost of material, labor, waste, and use of machinery of a United States mint or assay office for—

- (1) melting and refining bullion;
- (2) using copper as an alloy when bullion deposited is above standard;
- (3) separating gold and silver combined in the bullion; and
- (4) preparing bars.

(c) The Secretary shall pay to the depositor or to a person designated by the depositor money or bars equivalent to the bullion deposited as soon as practicable after the value of the deposit is determined. If demanded, the Secretary shall pay depositors in the order in which the bullion is deposited with the Secretary. However, when there is an unavoidable delay in determining the value of a deposit, the Secretary shall pay subsequent depositors. When practicable and convenient, the Secretary shall pay depositors in the denominations requested by the depositor.

After the depositor is paid, the bullion is the property of the United States Government.

(d) To allow the Secretary to pay depositors with as little delay as possible, the Secretary 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

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
5122(a)	31:273(last sentence).	R.S. § 3506(last sentence).
	31:331.	R.S. § 3523.
	31:334.	R.S. § 3525.
5122(b)	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

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.